

REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES,

FOR THE YEAR

1868-69.



CALCUTTA:

PRINTED BY WILLIAM JONES, ALIPORE JAIL PRESS.

1869.

LIST OF TABLES AND STATEMENTS.

- No. I.—Part 1st.—Abstract Statement of the Statistics of the Court.
- No. I.—Part 2nd.—Ditto ditto ditto.
- No. II.—Comparative Table of Cases set down for hearing, showing how they were disposed of.
- No. III.—Statement showing the number of Cases pending.
- No. IV.—Abstract Statement of Cases set down for hearing and disposed of, with Commission and Fees leviable thereon.
- No. V.—Comparative Statement of Commission and Fees realized and credited in the Cash Accounts in 1867-68 and 1868-69.
- No. VI.—Abstract Statement of Sums received and paid to Plaintiffs on account to their Suits.
- No. VII.—Table showing the nature of Cases heard and decided.
- No. VIII.—Statement showing the Statistics of the Distraint Department of the Court (under Act VII. of 1867.)
- No. IX.—Statement showing the amount of Fines.
- No. X.—Statement showing the Salaries of the Judges, Cost of the Establishment, and House Rent.
- No. XI.—Statement showing the amount of Costs remitted and unrecovered.
- No. XII.—Statement showing the net amount credited to Government in the Cash Accounts.
- No. XIII.—Statement of Indigent Debtors relieved.
- No. XIV.—Statement of the number of Ex-parte Cases disposed of by the Judges.
- No. XV.—Comparative Table.
- No. XVI.—Statement shewing the number of Mofussil Commissions issued to the Court under Section 177, Act VIII. of 1869.
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No. 14.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

TO

THE SECRETARY TO THE GOVERNMENT OF BENGAL.

Dated Fort William, the 14th June, 1869.

SIR,

WE have the honor to forward for the information of His Honor the Lieutenant-Governor of Bengal, the 19th Annual Report of the business of this Court for the year 1868-69, ending 31st March last.

2. The number of cases instituted in the Court during the year was 31,679, being an increase of 1,465* cases as compared with the number instituted during the year ending 31st March 1868. The average number of cases for each day was 125.22.

* Instituted in 1807-68—30,214.

3. The amount in litigation was Rupees 16,98,669-4-0. Rupees 3,06,719-9-4 were paid into, and Rupees 3,11,799-8-4 paid out of Court, in satisfaction of Judgments and Orders. In the year 1867-68 the amount in litigation was Rupees 16,45,704-4-10.

Rs. As. P.

4. The receipts on account of Commission and Fees					
have been	...	...	...		2,27,214 8 8
DEDUCT—				Rs. As. P.	
Salaries of the Judges	...	...	...	70,985 0 8	
Cost of Establishment	...	...	...	74,852 0 8	
House rent	...	...	...	9,600 0 0	
Contingent expenses	...	...	...	2,679 2 6	
Bailiffs' Commission	...	...	...	2,834 0 0	
					1,60,950 3 10
Balance to the credit of the Court	...				66,264 4 10

5. With reference to the items of expenditure, we have to observe that, until now, in preparing the Annual Report, only the fixed charges have been taken into account. The present statement shows for the first time the amount of the contingent expenses. The amount to the credit of the Court for the year 1867-68, after deducting fixed charges, was shown as Rupees 60,318-9-1, but if the contingent expenses for that year amounting to Rs. 2,934-12 be taken into account, the balance will be reduced to Rupees 57,383-13-1. The increase over and above last year's profits is, therefore, Rupees 8,880-7-9. This sum is the difference of profit in the two years. It must be remembered, however, that there is a new charge of Rupees 2,834-0-0 for Bailiffs' Commission; the difference, therefore, in the total receipts of the Court during these two years is Rupees 11,714-7-9.

6. The following Tabular Statement shows the result of the cases set down for hearing during the year :—

No. of cases pending from 1867-68.	No. of cases instituted in 1868-69.	Total.	Decided in favor of plaintiffs after trial.	Decided in favor of plaintiffs <i>ex parte</i> .	Dismissed after trial.	Non-suited after trial.	Compromised.	Struck off in default of plaintiff.	Total number of cases disposed of.	Pending at the close of the year.
1,039	31,679	32,718	7,346	6,030	1,562	3,766	9,902	3,042	31,648	*1,070

* Note.—Partly heard and adjourned ... 227
 Instituted in 1868-69, returnable in 1869-70 ... 843
 Total ... 1,070

7. The institutions during the year include 48 cases, for sums exceeding Rupees 1,000. In one case Rupees 800 was abandoned; in seven other cases amounts ranging from Rupees 300 to Rupees 500; in ten cases amounts between Rupees 100 and Rupees 300; and in the remaining thirty cases sums less than Rupees 100 were abandoned to bring the suits within the jurisdiction of the Court.

8. The following Comparative Table exhibits the classes of cases that have increased and decreased during the year :—

Class of Cases.					For 1867-68.	For 1868-69.	Increase.	Decrease.
Under Rupees 10	...	...	...	...	16,298	12,669	.....	3,629
" " 20	...	...	...	...	5,257	6,656	1,399	.....
" " 50	...	...	...	...	3,542	6,094	2,552	.....
" " 100	...	...	...	...	2,014	2,568	554	.....
" " 200	...	...	...	...	1,093	1,723	630	.....
" " 300	...	...	...	...	576	655	79	.....
" " 400	...	...	...	...	357	355	.....	2
" " 500	...	...	...	...	288	269	.....	19
" " 600	...	...	...	...	187	168	.....	19
" " 700	...	...	...	...	153	151	.....	2
" " 800	...	...	...	...	137	108	.....	29
" " 900	...	...	...	...	128	90	.....	38
" " 1,000	...	...	...	...	145	125	.....	20
Above " 1,000	...	...	...	...	89	48	9	.....
Total	...	...	...	...	.....	.....	5,223	3,758
Deduct Decrease	...	...	...	...	.....	.....	3,758	
Total Increase	...	...	...	...	.....	.....	1,465	

9. It will be seen from this table that there has been an increase in cases between Rupees 20 and Rupees 300, and above Rupees 1,000 of 1,465 cases, showing an average increase on the whole of 122 cases a month.

10. A portion of the increase in the number of cases is no doubt attributable to the removal of the Court-house (which we had the honor to recommend in January last) into a position more central and more convenient to the Mercantile and Trading classes. We have no doubt that this change will hereafter be productive of still better results; but in the mean time the advantages of centralization are much counteracted by the want of proper arrangements for the Courts and Offices and Out-offices, and by the total absence of accommodation of any kind for Native suitors and witnesses, and for the public generally. This is perhaps to a certain extent unavoidable so long as the Court has not a fixed habitation; but we trust that His Honor the Lieutenant-Governor will be pleased to initiate early measures for the erection of a suitable Court-house on the site of the dilapidated building which constituted the old Post Office. We still consider that that site is, under all the circumstances, the most suitable for the purposes of the Court.

11. With reference to this matter, two plans have been submitted to the First Judge, one of which combines with an elegant exterior, all the arrangements and conveniences required for the purposes of the Court, and of suitors European and Native. The cost of executing this plan is estimated at about three Lacs of Rupees (£30,000). There stands at present to the credit of the Court, a sum amounting to nearly three* Lacs of Rupees. Adding to this the profit of this year, which amount to Rupees 66,264-4-10, and the probable profits of the next two years, which may be reckoned at the very lowest at Rupees 50,000 each, we shall arrive at a sum of nearly five Lacs standing to the Court's credit, before the new building upon the plan above mentioned will probably be finished.

Rs. 2,50,252-12-7.

12. The other plan is estimated to cost at first an outlay of close upon two Lacs of Rupees. It would furnish only Court-rooms and rooms for the accommodation of witnesses, leaving the establishment to be housed in the crazy remains of the old Post Office, and leaving much unprovided for which would tend greatly to public convenience. The sum requisite for carrying out either of the two plans which may be selected being in hand, the difference between them in expense seems so trifling that we hope the complete will be selected in preference to the imperfect scheme. In case of the adoption of the latter, the external appearance of the Court-house and premises, composed as they would be of a handsome new edifice, tacked on to a miserably worn-out building, would be very unsightly.

13. The importance of this Court is growing every year, and its jurisdiction is likely to be again increased in the course of the next twelve months. The Secretary of State, in paragraph 4 of a Dispatch No. 41, dated 31st August 1866, addressed to the Government of Bombay and forwarded to us with your No. 595 of 25th January 1867, has already recognized the importance of the erection of a commodious Court-house as an object to which the surplus revenues of the Court might well be devoted.

14. One object in erecting an imperfect building might be to save time, with a view to providing early a suitable and permanent place for the disposal of cases; leaving the entire edifice to be completed afterwards. Against this view, should the Lieutenant-Governor be disposed to entertain it, we would beg to point out that the saving in point of time would only be nominal; as the subsequent completion of the building would necessitate another removal of the establishment at any rate; and the business of the Court could not be carried on without extreme inconvenience both to the Judges and to the public, if the Judges were obliged to hold their Courts in one locality while the establishment was situated even temporarily in another. The newly erected partial Court-house would, therefore, have to be for a time again vacated, while the demolition of the then remaining portion of the Post Office for the purpose of erecting the remainder of the Court-house building was being proceeded with. On the other hand, if the whole work is allowed to proceed at once, the difference in point of time between the complete and partial erection will probably not exceed a few months.

15. Under all these considerations, we trust that whatever scheme His Honor may be pleased to approve of, it may be one which will be at once complete in itself.

16. Before concluding this report, we desire to avail ourselves of the opportunity which it affords of recording our sense of the great loss which we (his colleagues) have sustained in the lamented death of Baboo Hurru Chunder Ghose, who had so long and so creditably discharged the duties of a Judge of this Court.

We have the honor to be,

SIR,

Your most obedient Servants,

G. S. FAGAN,

N. H. THOMSON,

KOONJO LALL BANERJEE,

Judges of the Calcutta Court of Small Causes.

NO. II.

COMPARATIVE TABLE of Causes set down for hearing from the 1st of April 1867 to 31st March 1868, and from 1st of April 1868 to 31st March 1869, showing how they were disposed of.

	April.		May.		June.		July.		August.		September.		October.		November.		December.		January.		February.		March.		Total.
	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	1867	1868	
Judgment for Plaintiffs ...	1,091	1,128	1,075	1,032	784	1,063	1,605	1,414	1,235	1,191	1,559	1,059	231	390	828	1,344	894	507	1,189	1,027	1,184	1,253	1,341	1,323	13,008
Judgment for Defendants.	134	120	137	143	70	157	181	212	170	144	165	179	43	47	115	170	105	95	119	93	193	98	167	121	1,463
Non-suited and struck out	949	579	480	477	377	594	757	737	642	536	816	623	189	273	452	742	438	430	665	517	610	594	600	621	6,508
Compromised	781	750	794	939	515	937	1,129	1,173	1,063	937	1,269	853	177	243	434	972	860	728	519	743	869	978	890	963	9,652
Undecided, Postponed after being called on for hearing																									
In 1867-68-1,039.																									
In 1868-69-1,079																									
Total	2,639	2,530	2,506	4,376	1,538	2,531	3,732	3,766	3,115	3,601	3,839	2,779	650	963	1,892	3,223	2,085	2,149	3,791	2,410	2,803	2,919	3,095	3,032	30,541

Postponed after being partly heard
Instituted towards the close of the year the returnable date being in April 1869

227
243
1,670

Calcutta Court of Small Causes,
The 14th June, 1869.

R. S. T. MACEWEN,

Offg. 5th Judge, & Clerk of the Court.

No. III.

STATEMENT showing the number of Cases pending on the 31st March, 1869.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.							Grand Total.
	For service of Summons.	For Witnesses.	For Attachments.	At the request of the parties to the suit.	Referred to Arbitration.	By order of the Court.	Total.	Instituted but not returnable till after close of the year.
1st Judge	4	3	...	5	9	3	29	46
2nd Judge	9	4	...	9	15	8	45	132
3rd Judge	21	7	...	12	44	9	93	265
4th Judge	4	4	...	7	21	12	48	255
5th Judge	2	.....	...	6	2	2	12	145
TOTAL	40	16	...	39	91	39	227	843
								1,070

Calcutta Court of Small Causes, }
The 14th June, 1869.

R. S. T. MACEWEN,
Offg. 5th Judge, and Clerk of the Court.

No. IV.

ABSTRACT STATEMENT of Causes set down for hearing, and disposed of with Commission and Fees leviable thereon, from 1st April 1868 to 31st March 1869.

	Judgment for Plaintiffs.	Judgment for Defendants.	Struck out.	Non-suited.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.	Commission and Fees leviable.
April 1868	1,125	123	275	391	754	2,588	...	2,537	Rs. As. P. 20,710 12 0
May "	1,052	145	197	280	689	2,375	...	2,654	19,612 10 0
June "	1,083	137	252	252	827	2,631	...	2,630	19,019 8 3
July "	1,014	212	355	402	1,173	3,738	...	3,739	22,464 5 3
August "	1,184	144	254	332	987	2,901	...	3,349	19,162 6 6
September "	1,080	179	274	354	983	2,779	...	1,803	23,947 13 6
October "	380	47	180	134	343	633	...	1,445	6,331 7 3
November "	1,944	179	320	422	972	3,238	...	3,217	21,620 4 3
December "	907	95	292	315	724	2,148	...	1,910	15,980 5 3
January 1869	1,027	83	233	265	743	2,410	...	2,793	19,507 1 3
February "	1,259	83	233	361	973	2,919	...	2,786	17,463 5 3
March "	1,325	121	229	302	965	3,012	1,070	3,049	21,937 4 9
TOTAL	13,376	1,562	3,642	3,763	9,242	31,645	1,070	31,679	2,23,925 0 9

	Rs.	As.	P.
Amount leviable	2,23,625	0	9
Add Transferred Cost of 30th March 1868, not included in this Statement	1,006	0	0
	2,24,631	0	9
Deduct Costs realized from April 1868 to March 1869 as per Statement No. II	2,263	3	6
" Transferred Costs of 31st March 1868 included in this Statement, but transferred on 1st April 1869	1,140	14	6
	3,434	2	0
Credited in Cash Account	2,21,448	14	0
Deduct debited in ditto as costs returned	135	10	6
As per Statement No. 5	2,21,311	4	5

CALCUTTA COURT OF SMALL CAUSES,
 The 14th June, 1869.

R. S. T. MACLEWEN,
 Offg. Sth Judge, and Clerk of the Court.

COMPARATIVE STATEMENT of Commission and Fees realized and credited in the Cash Accounts in 1867-68 and in 1868-69

MONTHS	1867-68			1868-69			MONTHS	1867-68			1868-69			T. BALANCE	T. BALANCE	T. BALANCE
	Rs	As	P	Rs	As	P		Rs	As	P	Rs	As	P	Rs	As	P
In April 1867	1,241	0	0	5,100	0	0	In April 1868	1,241	0	0	5,100	0	0	3,333	1	9
May 1867	19,217	13	6	227	4	0	May 1868	19,445	1	6	19,401	11	0	20	14	3
June 1867	12,722	0	6	90	13	0	June 1868	12,623	1	6	10,215	4	0	6	1	3
July 1867	24,880	11	0	24,885	13	3	July 1868	24,833	0	3	24,833	0	3	0	0	0
August 1867	27,000	3	0	31,623	1	4	August 1868	27,000	3	0	31,623	1	4	0	0	0
September 1867	23,584	14	3	23,584	14	3	September 1868	23,584	14	3	23,584	14	3	0	0	0
October 1867	5,806	6	9	5,806	6	9	October 1868	5,806	6	9	5,806	6	9	0	0	0
November 1867	46,100	8	0	46,100	8	0	November 1868	46,100	8	0	46,100	8	0	0	0	0
December 1867	14,617	10	8	14,617	10	8	December 1868	14,617	10	8	14,617	10	8	0	0	0
January 1868	18,089	4	6	18,089	4	6	January 1869	18,089	4	6	18,089	4	6	0	0	0
February 1868	10,886	12	9	10,886	12	9	February 1869	10,886	12	9	10,886	12	9	0	0	0
March 1868	17,687	13	0	17,687	13	0	March 1869	17,687	13	0	17,687	13	0	0	0	0
Credited in Cash Accounts	2,10,605	2	6	2,10,605	2	6	Credited in Cash Accounts	2,10,605	2	6	2,10,605	2	6	0	0	0
Deduct cost returned as above shown	80	2	0	80	2	0	Deduct cost returned as above shown	80	2	0	80	2	0	0	0	0
TOTAL	2,10,525	0	6	2,10,525	0	6	TOTAL	2,10,525	0	6	2,10,525	0	6	0	0	0

CALCUTTA COURT OF SMALL CAUSES,

The 14th June, 1869.

R. P. T. MACQUEEN,

Offg. Secy. Judge, and Clerk of the Court.

No. VI.

ABSTRACT STATEMENT of Sums received and paid to Plaintiffs on account of their suits, from 1st April 1868 to 31st March 1869.

Balance in hand	27,841 1 0	21,539 10 4	Bv Cash paid to Plaintiffs on Causes decreed in April 1868	29,296 12 3
To Cash received on Causes decreed in April 1868	...	...	...	...
Ditto ditto May 1868	34,547 9 0	...	Ditto ditto May 1868	30 148 8 3
Ditto ditto June	30,430 10 6	...	Ditto ditto June	32,261 14 6
Ditto ditto July	28 503 12 9	...	Ditto ditto July	30,622 13 3
Ditto ditto August	22,086 12 7	...	Ditto ditto August	21,658 14 7
Ditto ditto September	29,007 12 9	...	Ditto ditto September	32,448 5 0
Ditto ditto October	11,619 7 3	...	Ditto ditto October	12,129 8 3
Ditto ditto November	20,490 5 11	...	Ditto ditto November	21,257 5 3
Ditto ditto December	22,731 6 3	...	Ditto ditto December	24,515 2 9
Ditto ditto January 1869	23,266 9 2	...	Ditto ditto January 1869	20,673 8 0
Ditto ditto February	28,803 13 9	...	Ditto ditto February	27,950 8 8
Ditto ditto March	27,005 2 5	...	Ditto ditto March	28,830 3 5
Total, Rupees	...	3,28,259 3 8	Total, Rupees	...
			Balance	16,459 11 4
				3,28,259 3 8

CALCUTTA COURT OF SMALL CAUSES,

The 14th June, 1869.

R. S. T. MACEWEN.

Offg. 5th Judge, and Clerk of the Court.

No. VII.

TABLE showing the nature of Cases heard and decided from 1st April 1868 to 31st March 1869.

Months	Goods sold and delivered.	Bills of Exchange and Promissory Notes.	Wages.	Work and labour.	Money paid.	Money lent.	Money had and received.	Account stated.	Time and occupation.	On judgments.	Guarantee.	Partnership business.	Other action or contract.	Trover.	Actions on the case.	Claims to property.	Assault.	Replevin.	Interpleader claim.	Recovery of small tenements.	Judgment.	Against Receiver & Administrators.	Covenant.	Total.
April 1868	1,033	215	166	101	32	234	125	20	107	2	3	10	137	55	37	2	50	1	31	4	5	1	2,546	
May "	842	175	246	120	25	301	95	31	177	7	10	6	127	50	40	5	67	1	47	3	1	...	2,376	
June "	929	935	232	143	46	242	123	27	203	2	4	4	181	52	38	...	40	2	27	...	1	...	2,531	
July "	1,354	321	272	261	52	462	156	43	244	5	5	8	235	97	94	4	91	1	45	4	4	1	8,798	
August "	1,030	240	225	173	50	350	130	47	217	11	5	9	170	51	63	2	65	3	26	1	5	...	2,901	
September "	937	226	295	234	38	326	115	41	245	5	6	5	197	61	57	5	82	...	45	1	2	1	2,773	
October "	283	75	96	66	13	115	47	11	73	3	1	3	47	10	21	...	46	...	1	...	2	...	953	
November "	1,173	231	274	183	73	423	146	45	227	9	5	10	159	65	71	2	59	...	45	3	1	1	3,228	
December "	820	219	189	110	32	260	87	15	141	5	2	9	143	53	54	3	32	5	46	1	...	...	2,146
January 1869	805	244	190	125	31	283	95	20	234	3	3	5	122	11	26	...	49	...	26	4	5	...	2,410	
February "	1,156	244	175	172	29	371	194	53	222	8	9	6	168	43	52	2	54	...	25	9	...	1	2,913	
March "	1,157	228	228	204	19	369	135	47	240	7	10	12	173	63	53	7	63	...	34	6	3	...	3,083	
Total	11,646	2,637	2,517	1,957	443	3,755	1,383	126	2,371	67	63	59	1,750	465	530	32	713	13	402	33	31	10	3	31,648

CALCUTTA COURT OF SMALL CAUSES, }
 R. S. T. MACEWEN,
 Offg. 5th Judge, and Clerk of the Court.
 The 14th June, 1869.

No. VIII.

STATEMENT showing the Statistics of the Distraint Department of the Court, under Act VII. of 1847, from 1st April 1868 to 31st March 1869.

Mosam.	Distraint compromised before appraisement.	Bales.	Distraint set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distraint set aside after appraisement.	Total number of distresses.	Amount of rent for which distresses were made.	Compensation and fees deposited.	Township and fees credited to Government.	Subpoena and Notice Fees.	Total amount credited to Government.
April 1868	16	4	...	...	1	...	21	1,059 12 3	171 0 0	52 0 0	...	52 0 0
May	12	2	...	1	12	...	16	1,914 0 0	282 4 0	70 4 0	...	70 4 0
June	6	4	...	1	1	...	12	1,135 11 3	165 4 0	64 0 0	0 12 0	64 12 0
July	15	6	...	...	1	...	23	1,891 12 9	298 0 0	82 12 0	1 9 0	84 4 0
August	4	1	...	...	3	...	5	574 4 0	70 0 0	181 12 0	2 4 0	184 0 0
September	7	...	...	...	12	...	9	519 2 0	56 4 0	40 8 0	...	46 8 0
October	3	2	...	...	3	...	8	527 0 0	54 8 0	13 0 0	...	13 0 0
November	6	4	...	...	4	...	16	2,709 12 0	120 4 0	194 12 0	42 0 0	236 12 0
December	2	2	...	...	...	...	4	1,079 0 0	146 5 0	61 8 0	...	61 8 0
January 1869	7	...	...	...	1	...	4	501 4 9	77 9 0	79 8 0	...	79 8 0
February	7	...	...	...	1	...	4	326 3 6	53 8 0	9 4 0	...	9 4 0
March	13	1	...	1	...	...	15	1,764 9 0	264 5 0	343 8 0	...	343 8 0
Total	160	25	...	3	19	1	133	13,040 7 0	2,154 0 0	1,215 12 0	46 5 0	1,262 4 0

CALCUTA COURT OF SMALL CAUSES,

R. S. T. MACEWEN,

The 14th June, 1869.

Offg. 5th Judge, and Clerk of the Court.

STATEMENT showing the amount of Fines from 1st April 1868 to 31st March 1869.

Years.		Months.			Amount.		
					Rs.	As.	P.
1868	..	April	..	..	27	0	0
"	..	May	..	..	4	0	0
"	..	June	..	..	3	0	0
"	..	July	..	..	30	0	0
"	..	August	..	..	42	0	0
"	..	September	..	..	63	0	0
"	..	October	..	..	0	0	0
"	..	November	..	..	14	0	0
"	..	December	..	..	26	0	0
1869	..	January	..	..	8	0	0
"	..	February	..	..	20	0	0
"	..	March	..	..	25	0	0
		Total, Rupees			262	0	0

CALCUTTA COURT OF SMALL CAUSES, }
 The 14th June, 1869.

R. S. T. MACLEWEN,
 Offg. S^d Judge, and Clerk of the Court,

STATEMENT shewing the salaries of the Judges, Cost of the Establishment and House-rent, from 1st April 1868 to 31st March 1869.

MONTHS.	Salaries of the Judges.	Establishment Charges.	House-rent.	Commission allowed to Judges.	Contingent Charges.	Total.
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
April 1868 ...	5,900 0 0	6,130 14 9	800 0 0	...	201 12 9	13,032 11 6
May " ...	3,900 0 0	6,008 8 0	800 0 0	...	177 5 6	10,885 11 6
June " ...	7,900 0 0	6,012 4 0	800 0 0	...	195 0 9	14,907 4 9
July " ...	4,961 10 8	5,587 5 10	800 0 0	619 14 0	244 1 3	12,512 15 9
August " ...	5,900 0 0	5,949 0 4	800 0 0	326 14 0	166 14 3	13,112 12 7
September " ...	7,100 0 0	6,912 15 3	800 0 0	311 6 0	162 15 6	15,287 1 9
October " ...	6,100 0 0	6,296 11 0	800 0 0	279 12 0	334 15 9	13,510 9 9
November " ...	6,100 0 0	6,334 1 6	800 0 0	156 0 0	460 6 9	13,550 8 3
December " ...	5,218 6 0	6,320 4 3	800 0 0	309 12 0	81 5 9	12,759 12 0
January 1869 ...	5,900 0 0	6,312 5 9	800 0 0	230 2 0	73 6 9	13,315 14 6
February " ...	5,975 0 0	6,328 11 6	800 0 0	278 11 0	146 11 6	13,529 5 0
March " ...	6,000 0 0	6,358 13 6	800 0 0	191 6 0	435 2 0	13,885 5 6
Total ...	70,985 0 8	71,862 0 8	9,600 0 0	2,834 0 0	2,679 2 6	1,60,950 3 10

CALCUTTA COURT OF SMALL CAUSES, }

The 14th June, 1869. }

R. S. T. MACEWEN,

Offg. 5th Judge, and Clerk of the Court.

No. XI.

STATEMENT showing the amount of Costs remitted and unrecovered, from 1st April 1868 to 31st March 1869.

Months.	Pauper Suits.			Costs Remitted.			Costs of Attachment ordered but not applied for.			Fees for second summons ordered but not applied for.			Fees for Contempt Processes against witnesses but not applied for.			Total.		
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
In April 1868	299	2	3	14	15	0	0	0	0	0	10	0	0	0	0	314	11	3
" May "	69	14	3	22	14	3	0	0	0	0	0	0	0	0	0	92	12	6
" June "	283	8	0	52	14	6	0	0	0	0	12	0	0	0	0	337	2	6
" July "	72	13	9	18	11	3	0	0	0	1	0	0	0	0	0	92	9	0
" August "	350	0	0	39	9	0	0	0	0	1	5	0	0	0	0	391	1	0
" September "	77	7	6	16	13	9	0	0	0	1	8	0	0	0	0	94	13	3
" October "	15	11	0	16	8	0	0	0	0	2	0	0	0	0	0	34	1	0
" November "	40	10	0	90	8	6	0	5	0	7	4	0	0	0	0	138	14	6
" December "	117	7	9	42	4	3	0	0	0	1	8	0	0	0	0	161	4	0
" January 1869	101	1	6	17	15	6	0	0	0	7	4	0	1	0	0	127	5	0
" February "	135	7	0	134	14	0	0	0	0	1	0	0	0	0	0	271	5	0
" March "	227	7	9	6	12	9	0	0	0	3	0	0	0	0	0	237	4	6
Total	1,590	10	9	473	10	9	0	8	0	27	6	0	1	0	0	2,293	3	6

CALCUTTA COURT OF SMALL CAUSES,
The 14th June, 1869.

R. S. T. MACEWEN,

Offg. 5th Judge, and Clerk of the Court.

No. XII.

STATEMENT showing the Net amount credited to Government in the Cash Account, from 1st April 1868 to 31st March 1869.

Months.	* Commission and Fees.		Time.		Unclaimed Suits' Savings and Refunded Money.		Savings and Refunded Charges.		Total Amount credited
	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	
April 1868 ..	20,660	14 6	24	0 0	1,730	6 1	7 8	0	22,425 12 7
May ..	19,471	15 9.	4	0 0	283	8 9	0	0 0	19,759 8 6
June ..	19,083	4 9	3	0 0	201	11 3	0*	0 0	19,878 0 0
July ..	21,833	12 0	30	0 0	400	11 4	12	0 0	22,276 7 4
August ..	19,511	6 3	12	0 0	361	5 9	0	0 0	19,917 12 0
September ..	18,796	10 3	63	0 0	362	0 3	0	0 0	19,221 10 6
October ..	6,901	15 6	0	0 0	154	5 6	0	0 0	7,057 5 0
November ..	22,429	11 0	14	0 0	468	1 9	0	0 0	22,911 12 9
December ..	11,640	8 6	26	0 0	304	1 9	0	0 0	15,970 10 3
January 1869 ..	16,709	1 3	8	0 0	0	0 0	0	4 0	18,717 5 3
February ..	17,179	8 9	20	0 0	0	0 0	0	0 0	17,199 8 9
March ..	21,553	11 9	25	0 0	0	0 0	0	0 0	21,878 11 9
Total, Rupees	2,22,576	8 3	262	0 0	4,356	4 5	19	12 0	2,27,214 8 8

CALCUTTA COURT OF SMALL CAUSES,

The 14th June, 1869.

R. S. T. MACEWEN,

Offg. Judge, and Clerk of the Court

No. XIII.

STATEMENT of Indigent Debtors relieved from 1st April 1868 to 31st March 1869, prepared in conformity with Mr. Secretary Eden's letter No. 873T, dated 1st October 1868.

DATE AND MONTH.	Names of Parties Relieved.	Amount Paid.
		Rs. As. P.
9th April 1868	C. Gore	18 8 0
18th May 1868	Boodhia Kheelewalla	8 12 0
27th May 1868	C. Catania	28 0 0
6th June 1868	Noorkhan	4 13 0
23rd June 1868	Nurroohurry Bisses	30 14 3
22nd July 1868	J. H. H. Munro	14 0 0
10th September 1868	John Gomes	10 0 0
30th November 1868	B. Andrews	15 0 0
	Total, Rupees	124 15 3

CALCUTTA COURT OF SMALL CAUSES,

The 14th June, 1869.

R. S. T. MACEWEN,

Offg. 5th Judge, and Clerk of the Court.

NO. XVI.

STATEMENT showing the number of *Mofussil Commissions* issued to the *Calcutta Court of Small Causes*, under Section 177 Act VIII. of 1859 for the year 1868-69.

Year and month.	Number of Commissions received.	Number of Commissions executed.	Number of Witnesses examined.	By what Judge disposed of.
April 1868	11	6	12	5th Judge.
May "	13	8	9	"
June "	10	5	9	"
July "	12	3	10	"
August "	11	3	7	"
September "	15	5	12	"
October "	2	1	3	"
November "	12	7	27	"
December "	14	5	8	"
January 1869	10	5	9	"
February "	15	10	24	"
March "	17	10	14	"
Total	144	65	144	2 by 4th Judge and 8 by 5th Judge. 5th Judge.

CALCUTTA COURT OF SMALL CAUSES,
The 14th June, 1869.

R. S. T. MACEWEN,
Offg. 5th Judge, and Clerk of the Court.

(RESOLUTION.)

JUDICIAL.

Fort William, the 4th August 1869.

READ a letter No. 14, dated the 14th June 1869, from the Judges of the Calcutta Court of Small Causes, submitting the Annual Report on the business of the Court for the year 1868-69.

1. The following is an analysis of the Court's operations in comparison with the previous year:—

	For 1868-69.	For 1867-68.	Increase.	Decrease.
Number of cases instituted ...	31,679	30,214	1,465	.....
Amount in litigation ...	Rs. 16,98,669	Rs. 16,45,701	Rs. 52,965	.....
Receipt on account of fees, &c. ...	„ 2,27,214	„ 2,16,595	„ 10,719	.....
Cost of Establishment, &c. ...	„ 1,60,950	„ 1,59,211*	„ 1,739	.....
Surplus ...	„ 66,264	„ 57,384	„ 8,880	.....
Cases decided for Plaintiff after trial...	7,316	6,610	706	.....
Ditto ditto <i>ex parte</i> ...	6,930	6,368	.....	338
Dismissed ...	1,562	1,565	.....	3
Non-suited ...	3,766	3,698	68	.....
Compromised ...	9,902	9,552	350	.....
Struck off on default ...	3,012	3,018	24	.....
Pending at close of year ...	1,070	1,039	31	.....
Cases above Rupees 1,000 ...	48	39	9	.....
Ratio of English to Native cases ...	1 to 4.35	1 to 3.58	.....	.....
Referred to arbitration ...	481	266	215	.....
Cases in which Attorneys appeared for parties ...	243	237	6	.....
Cases in which parties appeared in person ...	26,818	27,060	.....	242
Number of writs of execution issued...	7,291	7,436	.....	145
Commitments ...	321	381	.....	.....
Sales ...	25	22	.....	60
Distresses for rent ...	148	157	.....	9
Fines ...	262	141	121	.....

* Including Rupees 2,934 for contingent charges.

2. The Lieutenant-Governor is glad to observe that the general result is an improvement.

The number of suits instituted is greater by 1465, and the aggregate receipts credited to Government exceed those of the previous year by Rupees 10,719, giving a surplus of Rupees 66,264 after deducting all charges of Establishment, &c.

The return, however, is still considerably below that of 1866-67.

3. There is an increase in the number of suits ranging from Rupees 20 to 300, while there is a decrease of suits chiefly below Rupees 10, and to a smaller extent in all the other classes from Rupees 400 to below Rupees 1,000.

4. This improvement is attributed to the removal of the Court to a more central and convenient position, and a still better result hereafter is looked for.

It is noticeable that the increase in suits is amongst the Native community principally, the ratio of European to Native cases having diminished from 1 to 3·58 in 1867-68 to 1 to 4·35 in the last year.

5. Paragraphs 11 to 15 of the Report relate to the future location of the Court, and discuss the plans most suitable for its accommodation. The subject has already been considered, and it has been determined to convert the Old Post Office building into a Court-house, rendering it sufficiently commodious for all purposes, and recasting it on an appropriate design. The plans are under preparation in the Department of Public Works.

6. The Lieutenant-Governor concurs in the regret expressed by the Judges at the death of Baboo Hurro Chunder Ghose.

J. WESTLAND,

Offg. Junior Secy. to the Govt. of Bengal.

No. 4823.

ORDERED that a copy of this Resolution be forwarded to the Judges of the Calcutta Small Cause Court for information.

By Order of the Lieutenant-Governor of Bengal.

FORT WILLIAM, }
The 4th August 1869.

J. WESTLAND,
Offg. Junior Secy. to the Govt. of Bengal.

REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES,

FROM THE

1ST MAY 1854 TO THE 30TH APRIL 1855.



Calcutta:

THOS. JONES, CALCUTTA GAZETTE OFFICE.

1855.

No. 44 of 1855.



FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

TO

W. GREY, ESQUIRE,

Secretary to the Government of Bengal.

Dated 18th July 1855.

SIR,

WE have the honor to forward the Fifth Annual Report of the Court for the period, from the 1st May 1854 to the 30th April 1855.

2. The number of Suits instituted within that time was 24,693, and the amount carried to the credit of Government was Rupees 74,824 5-6, which sum includes Rupees 1,430-12-0 realized on Distresses for Rent.

3. We subjoin a Comparative Table, illustrating the history and progress of the Court :—

	1850-51.	1851-52.	1852-53.	1853-54.	1854-55.
Number of Cases, { English, - -	4407	4544	4796	4307	4492
{ Native, - -	16916	23205	22085	20058	20201
Total, - -	21323	27749	26881	24465	24693
Number of Summonses issued, - -	51889	68174	65863	59118	58951
" " Second Summonses, - -	0	9306	7574	5605	3085
" " Subpoenas, - -	18952	23399	21920	19017	18612
" " Attachments, - -	0	809	1368	853	320
" " Writs of Execution, - -	3918	4964	6029	5243	4939
" " Bench Warrants, - -	0	0	157	142	79
" " Copies of Judgments, - -	167	215	226	176	137
" " Commitments, - -	448	624	1040	611	623
Warrants to sue and defend filed, - -	2176	3205	2675	3106	3340
Number of Sitting Days, - -	258	274	277	260	235
Amount litigated, - -	447381 0 0	531499 12 4	517063 5 10	508820 11 10	525199 3 4
Fees on Institution of Suits, - -	59531 14 6	73038 8 9	73763 13 0	73212 14 3	75870 7 9
Total Commission and Fees leviable on Causes heard and disposed of, }	60333 11 0	78067 7 3	78221 2 9	76584 10 0	75665 9 3
Net amount of Commission & Fees realized and credited to Govern- ment (Distraint Department in- cluded), }	58963 4 6	76577 12 9	79171 12 9	76809 7 0	74824 5 6
Amount paid by Defendants in satisfaction of Decrees, }	246313 0 0	281804 11 0	114017 2 9	108620 7 11	112100 14 4
Amount paid out to Suitors under Decrees, }	243604 0 0	279736 2 9	112694 4 9	108112 6 6	111347 0 6
Cases under Rupees 10, - -	12791	18111	17178	15155	15103
" " " 20, - -	3363	4389	4495	4231	4382
" " " 50, - -	2422	3275	3226	3085	3103
" " " 100, - -	792	948	1028	992	1085
" " " 200, - -	480	586	546	558	600
" " " 300, - -	186	224	217	222	213
" " " 400, - -	86	116	98	108	130
" " " 500, - -	67	100	95	104	97
Number of Distresses for Rent, - -	440	457	613	547	616
Amount of Fees credited to Go- vernment in the Distraint Depart- ment, }	1510 7 0	1778 8 0	1969 8 0	1629 0 0	1430 12 0
Judgments for Plaintiffs, - -	8330	10548	9512	8993	8896
" " Defendants, - -	688	952	1747	1742	1403
Nonsuits, - -	4172	5831	6532	2752	2543
Struck out and Compromised, - -	6655	10222	9419	11583	11168
Undecided (postponed), - -	333	380	284	406	156

4. In the past year there has been an increase on the Returns of the previous year of 238 in the number of Cases, and of Rupees 16,318-7-6 in the amount litigated.

5. The number of Sitting Days was 25 less than in the previous year, owing principally to the order of Government for the closing of the Court for a Summer Vacation having come into force for the first time in May 1854, and to the Court having been also closed for repairs during the latter half of that month.

6. Notwithstanding the increased number of Suits, the total amount of Fees credited to Government has somewhat fallen off. This arises from there having been fewer interlocutory proceedings in the various Causes, fewer Second Summonses, Attachments and Subpoenas issued, fewer Fines levied, &c.

7. The very great diminution in the number of Bench Warrants issued is to be observed. The practice adopted in June 1854, by which Plaintiffs are enabled to obtain Summonses returnable immediately, has almost removed the necessity for issuing Bench Warrants in any case.

8. The foregoing facts appear to us to indicate the undiminished prosperity and usefulness of the Court

We have the honor to be,

Sir,

Your most obedient Servants,

A. G. MACPHERSON.

JOHN KING.

HURUCHUNDER GHOSE

CALCUTTA
COURT OF SMALL CAUSES, }
The 18th July 1855.

STATEMENT of the Graduated Digest of Costs of Summons from the 1st May 1854 to the 30th April 1855.

MONTHS.	Fees and Costs under 10 Rs.	Fees and Costs under 20 Rs.	Fees and Costs under 50 Rs.	Fees and Costs under 100 Rs.	Fees and Costs under 200 Rs.	Fees and Costs under 300 Rs.	Fees and Costs under 100 Rs.	Fees and Costs under 300 Rs.	TOTAL.
1854.									
May, ...	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
June, ...	1293 8 6	1025 10 9	1815 4 3	1470 10 0	1550 7 6	712 8 0	1073 11 3	815 11 6	9787 7 9
July, ...	1229 8 0	991 1 9	1438 15 0	1145 7 9	772 1 9	631 2 3	682 7 6	491 8 0	7389 4 0
August, ...	1425 8 3	1071 4 0	1560 4 9	976 6 6	1005 7 0	779 13 9	752 6 9	414 8 0	8015 11 0
September, ...	555 5 6	625 5 0	996 7 9	839 11 3	520 1 9	245 3 3	410 7 6	368 11 9	4731 11 9
October, ...	884 8 6	659 11 0	910 4 9	751 14 6	1029 11 3	384 8 6	97 15 0	272 0 0	5000 9 6
November, ...	1339 0 6	1099 10 6	1586 14 0	1066 8 3	1204 10 3	620 14 6	291 1 6	794 13 9	8003 12 5
December, ...	441 5 6	399 12 9	515 12 0	453 11 3	375 14 6	513 2 0	50 2 0	117 6 9	2877 3 3
1855.									
January, ...	1215 4 3	1117 8 9	1816 2 3	1197 4 0	1183 6 9	531 4 6	572 7 6	651 15 3	8231 5 3
February, ...	1054 1 6	971 15 3	1552 5 6	952 11 0	1279 1 0	629 8 9	928 5 0	232 15 6	7294 2 6
March, ...	1059 9 0	973 10 3	1396 13 9	1031 5 0	1577 8 3	942 15 9	601 2 0	555 1 0	8058 4 0
April, ...	738 5 6	625 4 3	120 15 0	997 14 3	823 1 3	801 7 3	380 11 0	852 3 0	6431 0 6
Total, ...	11236 1 0	9360 14 3	14392 6 0	10883 10 9	11565 13 3	6787 9 0	5841 0 0	5600 1 6	75870 7 9

CALCUTTA
COURT OF SMALL CAUSES.
The 18th July 1855.

OGILVY TEMPLE,

Officiating Clerk of the Court.

STATEMENT showing the Number of Causes remaining undecided on the 30th April 1855

NUMBER OF CAUSES POSITIONED.						REMARKS
For want of service.	For Plaintiffs' or Defendants' or Parties' Witnesses.	For Attachments.	At the request of Plaintiff, or Defendants, or both parties.	By order of Court.	Total.	
37	31	19	30	49	156	<p>* A great number of these Cases were adjourned on the following grounds :—</p> <p>For the personal appearance of either the Plaintiff or Defendant.</p> <p>Referred to the Accountant to examine parties' Accounts and report.</p> <p>To enable parties to settle out of Court.</p> <p>Referred to arbitration.</p>

OGILVY TEMPLE,
Officially Clerk of the Court

CALCUTTA }
 COURT OF SMALL CAUSES,
The 18th July 1855.

STATEMENT of Causes in the Distract Departments, from the 1st May 1854 to the 30th April 1855, with the Amount of Rent sued for, the Gross Amount of Costs deposited, and the Amount of Costs credited to Government.

MONTHS.	(Compromised before Appraisement.	Executed by Sale.	Dismissed before App- raisement.	Unexecuted.	(Compromised after Appraisement.	Dismissed after App- raisement.	Total.	Amount of Rent sued for.	Gross Amount of Costs deposited.	Amount of Costs cre- dited to Government.	Subsidiary Fees.	Total Amount credited to Government.	REMARKS.
1854.													
May.	0	0	0	0	0	0	0	0	0	25	0	28	0
June.	46	2	0	4	18	1	71	2326 15	371 12	174	0	186	0
July.	55	0	0	2	9	2	58	1943 3	328 0	206	4	211	4
August.	35	0	3	0	3	1	51	1403 11	249 0	76	0	79	12
September.	23	4	0	1	4	0	27	899 11	165 12	126	0	186	12
October.	18	3	0	0	0	1	22	609 10	111 4	21	0	21	0
November.	41	12	0	0	2	0	55	1227 6	225 12	119	0	125	0
December.	16	4	0	1	3	0	24	812 15	137 12	122	0	125	0
1855.													
January.	52	6	0	1	8	2	69	1771 5	317 12	127	0	130	0
February.	25	13	0	0	5	1	44	1834 8	238 0	113	4	117	8
March.	29	5	1	2	0	3	39	1805 4	279 4	107	0	120	0
April.	36	5	0	1	4	0	46	1851 10	303 0	144	4	149	0
Total.	363	69	5	12	55	11	516	16373 8	2837 4	1373	4	1430	12

Memo.—Costs credited to Government in 1853-54.....	.....
Ditto ditto in 1854-55.....	.....

Decrease, Rs. 124 =

CALCUTTA
COURT OF SMALL CAUSES,
The 18th July 1855.

OGILVY TEMPLE,
Officiating Clerk of the Court.

*STATEMENT showing the Amount of Fines levied from the 1st May 1854
to the 30th April 1855.*

YEARS.	MONTHS.	AMOUNT.
		Rs. As. P.
1854	May, - - - - -	0 0 0
"	June, - - - - -	8 8 0
"	July, - - - - -	4 10 9
"	August, - - - - -	72 14 0
"	September, - - - - -	20 4 0
"	October, - - - - -	8 0 0
"	November, - - - - -	2 0 0
"	December, - - - - -	1 5 6
1855.	January, - - - - -	56 0 0
"	February, - - - - -	0 0 0
"	March, - - - - -	15 0 0
"	April, - - - - -	52 2 0
	Total, Company's Rupees - -	240 12 3

CALCUTTA
COURT OF SMALL CAUSES,
The 18th July 1855.

}

OGILVY TEMPLE,
Officiating Clerk of the Council.

STATEMENT showing the Monthly Salaries of three Judges and of the Establishment.

MONTHLY SALARY OF THE				TOTAL.
First Judge.	Second Judge.	Third Judge.	Establishment.	
Rs. 1500	Rs. As. P. * 1463 0 0	Rs. As. P. 1000 0 0	Rs. As. P. 5113 3 7	Rs. As. P. 9076 3 7
.

* To be reduced hereafter to 1000 Rupees.

CALCUTTA
COURT OF SMALL CAUSES,
The 18th July 1855.

OGILVY TEMPLE,
Officiating Clerk of the Court.

ABSTRACT STATEMENT of Unrecovered Costs from the 1st May 1854 to the 30th April 1855.

MONTHS.		Pauper Suits.	Costs remitted on behalf of parties to be Paupers.	Costs of Attachments ordered, but not taken out by parties.	Fees of Second Summons, not taken out by parties.	Costs of Warrants, ordered against Witnesses, but not called for.	TOTAL.
1854.							
May, .. ..	.....	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0
June, .. ..	.....	26 4 3	78 2 0	2 4 0	5 6 0	0 2 0	112 2 3
July, .. ..	.....	6 0 0	68 7 6	1 10 0	10 0 0	0 2 0	88 4 3
August, .. ..	.....	225 8 3	85 12 6	2 14 0	0 8 0	0 0 0	315 10 9
September, .. ..	.....	180 15 9	118 5 6	0 2 0	1 8 0	0 0 0	300 15 3
October, .. ..	.....	65 4 0	46 8 6	0 0 0	0 8 0	0 0 0	112 4 6
November, .. ..	.....	156 14 6	80 10 3	15 8 0	4 12 0	0 4 0	267 0 9
December, .. ..	.....	66 8 0	30 7 3	6 0 0	3 8 0	0 2 0	100 9 3
1855.							
January, .. ..	.....	78 1 0	26 7 6	1 8 0	4 12 0	1 8 0	122 4 6
February, .. ..	.....	164 12 3	58 9 6	0 6 0	2 8 0	0 0 0	195 13 9
March, .. ..	.....	148 5 6	0 0 0	1 14 0	9 12 0	0 2 0	169 1 6
April, .. ..	.....	108 10 3	32 4 9	1 6 0	4 2 0	1 8 0	241 15 0
Total,		1289 4 6	641 11 3	28 2 0	61 4 0	3 12 0	2017 1 9

OGILVY TEMPLE,
officiating Clerk of the Court.

CALCUTTA
COURT OF SMALL CAUSES,
The 18th July 1855.

REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES,

FROM

1st May 1858 to 30th April 1859.

Calcutta:

PRINTED BY P. M. CRANENBURGH, AT THE MILITARY ORPHAN PRESS.

1859.

LIST OF TABLES AND STATEMENTS.

- No. 1, Part I.—Abstract Statement of the Statistics of the Court.
No. 1, Part II.—Ditto ditto ditto.
No. 2.—Comparative Table of Causes set down for hearing, showing how they were disposed of.
No. 3.—Table showing the value of Suits instituted.
No. 4.—Table showing the amount of Commission and Fees received on Suits of different value.
No. 5.—Statement showing the number of Cases undecided.
No. 6.—Abstract Statement of Causes set down for hearing, with the Commission and Fees leviable thereon.
No. 7.—Comparative Statement of Commission and Fees realized and credited in Cash Accounts 1857-58, 1858-59.
No. 8.—Abstract Statement of Sums recovered and paid to Plaintiffs.
No. 9.—Table showing the nature of Cases heard and decided.
No. 10.—Statement showing the Statistics of the Distrain Department.
No. 11.—Statement showing the Amount of Fines levied.
No. 12.—Statement showing the Salaries of the Judges and Cost of Establishment.
No. 13.—Statement showing the Amount of Costs remitted and unrecovered.
No. 14.—Statement showing the Net Amount credited to Government in the Cash Accounts.
No. 15.—Comparative Table.

No. 423.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,
TO

A. R. YOUNG, ESQUIRE,

Secretary to the Government of Bengal,

Dated the 7th June 1859.

SIR,

WE have the honor to forward herewith for submission to His Honor the Lieutenant-Governor, the Report of the Calcutta Court of Small Causes, for the year ending the 30th April last.

2. The result shows a total sum credited to Government of Rupees 1,10,915-11-9, while the expense of the Court was Rupees 1,03,274-11-0, leaving a balance of Rupees 7,641-0-9, in favour of Government.

3. This result is not so favourable as that presented in last year's Report, but the difference principally arises from the sum credited to Government last year, for unclaimed monies having amounted to no less than Rupees 9,720, (as was then reported) from the Books of the Court of Requests, while the sum credited in this Report from unclaimed monies is confined to the accounts of this Court, and does not exceed Rupees 1,868-0-3.

4. The total number of cases instituted also was less, but still amounted to Rupees 29,956. In some respects, however, the business of the Court has increased. The number of copies of Summonses reported last year was 61,405. In the present Report it is Rupees 70,012. A separate copy of the Summons is served upon each defendant, and the aggregate number will therefore depend on the number of parties sued, as well as the number of cases instituted.

5. We are under the necessity of calling the attention of His Honor to the following Tabular Statement, showing the amount of work now pressing on the Establishment and of applying for a partial revision and increase.

Comparative Table showing the increase of work in the Calcutta Court of Small Causes since 1850.

YEARS.	Number of cases instituted.	Average number of cases instituted daily.	Number of Summons issued.	Second Summons.	Subpoenas.	Attachments.	Writs of Execution.	Bench Warrants.	Copies of Judgments.	Commitments.	Warrants to sue and defend filed.	Number of items of Receipts.	Number of items of Re-payments including transfers.
In 1858-59,...	29,976	121	70,012	1,358	23,279	337	7,694	14	226	539	4,574	38,913	49,263
In 1850-51,...	21,323	82	51,889	0	18,652	0	3,918	0	167	448	2,176	25,433	30,557
Increase,....	8,653	39	18,123	1,358	4,627	337	3,776	14	69	91	2,398	13,510	18,706

ABSTRACT.

Increase in the number of Cases, ...	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	8,653
Increase in the number of Processes issued, ....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	28,095
Increase in the number of Warrants to sue and defend, .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	2,398
Increase in the number of items of Receipts, .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	13,510
Increase of Re-payments including transfers, .....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....	18,706

6. When Baboo Greeschunder Dutt was acting for Mr. Temple as Clerk of the Court last year, he called our attention to the subject, and Mr. Temple has since with great care thoroughly investigated it, and he proposes the following increase of Establishment, to the extent of Rupees 388 a month.

In what Department.	Additional Establishment proposed, and nature of increase.	Increase per mensem.
Warrant Department, ...	Two additional Writers, ...	50 0 0
Summons, List and Case-Book Departments, ... }	One additional Writer and three Bailiffs, ...	75 0 0
Subpoena Department, ...	One Writer, ...	30 0 0
Record-Keeper ("Mooktearna-mah Sircar,") ... }	Increase of salary, ...	10 0 0
Receipt Register Writer, ...	New appointment, ...	20 0 0
Cash Department, ... }	Three Additional Assistants and a revised scale of salaries, ... }	167 0 0
Burkundauzes, ...	Five additional men, ...	30 0 0
Dufferies, ...	One additional Duffery, ...	6 0 0
Total Increase, Rupees, ...		388 0 0

7. We annex a Tabular detail of the various Departments as affected by this proposal, and an original letter from Baboo Ummernauth Mitter, the Cash-keeper, very forcibly explaining his own case.

8. At a time like the present, we should not venture to press on His Honor's attention these applications for increased expenditure without a clear conviction of their necessity. We believe that the claim of the Cash-keeper is fair and reasonable, and that we are not likely to retain his services or to secure a fitting successor, without the augmentation we solicit. In his and the other Departments the present pressure of labor threatens to harass and delay the suitors, and already causes constant complaints. The arrangement proposed by Mr. Temple to meet the evil has been prepared with a careful regard to the combination of economy with efficiency, and we deem its adoption essential to the future satisfactory progress of the Court.

No. 4.

TABLE Shewing the Amount of Commission and Fees received on Suits of different value, from 1st May 1858 to 30th April 1859.

MONTHS.	On Suits under								Total.
	Commission and Fees on Suits under Rs. 10.	Rs. 20.	Rs. 50.	Rs. 100.	Rs. 200.	Rs. 300.	Rs. 400.	Rs. 500.	
1858.									
May,	700 7 6	680 12 9	1217 1 0	584 7 6	856 14 6	777 13 6	638 1 6	818 5 6	6623 15 9
June,	1370 14 0	1218 11 9	2044 9 6	1608 3 6	1876 11 3	1170 3 6	541 8 6	1331 9 0	11431 6 6
July,	1258 0 0	1141 2 3	1984 5 6	1614 1 9	1707 12 6	1247 1 0	446 4 6	535 8 6	9834 4 9
August,	1376 8 6	1375 13 9	1800 2 6	1387 6 0	2024 15 6	1350 11 0	576 11 6	1087 15 6	11669 4 3
September,	1555 13 3	1458 7 3	2554 11 0	2043 5 3	2042 9 9	905 0 3	764 1 6	1410 10 6	12880 10 9
October,	463 6 6	582 9 3	821 4 3	473 11 9	518 2 3	478 7 3	384 6 9	125 5 6	3847 5 6
November,	1087 6 0	1005 10 0	1845 14 9	1251 9 3	1507 2 6	826 3 6	930 5 0	605 1 9	9209 4 9
December,	468 9 3	456 4 6	579 7 9	653 4 3	656 5 3	400 13 0	285 3 3	425 15 3	3954 14 6
1859.									
January,	1369 0 9	1520 11 3	2476 11 9	1907 14 9	1953 8 6	1370 5 9	1076 9 0	1423 10 9	13008 8 6
February,	1125 14 3	1056 4 3	1980 13 6	1453 1 6	1362 12 6	918 6 6	504 0 6	580 4 3	9071 9 3
March,	1089 9 9	1051 15 3	1789 8 9	1465 4 6	1514 10 6	1273 9 0	408 15 0	974 13 0	9508 5 9
April,	765 7 6	820 3 0	1527 11 0	1197 6 0	1518 11 3	886 7 6	613 9 9	1281 5 9	8590 13 3
Total,	12651 2 0	12368 9 3	20721 5 3	10059 11 6	17600 4 3	11768 1 9	7253 12 3	10896 9 3	109260 7 6

CALCUTTA
COURT OF SMALL CAUSES,
The 7th June 1859.

OGILVY TEMPLE,
Clerk of the Court.

No. 5.

STATEMENT showing the number of Cases remaining undecided on the 30th April 1859.

NUMBER OF CASES POSTPONED.							REMARKS.
For service of Summons.	For Witnesses.	For Attachments.	At the request of parties to the Suit	Referred to Arbitration.	By order of the Court.	Total.	
18	23	14	6	2	28	91	

CALCUTTA
 COURT OF SMALL CAUSES,
The 7th June 1859.

OGILVY TEMPLE,
Clerk of the Court.

STATEMENT showing the Statistics of the Distraint Department of Court (under Act VII. of 1847) from 1st May 1858 to 30th April 1859.

MONTHS.	Distresses compromised before Appraisement.	Sales.	Distresses set aside before Appraisement.	Unexecuted.	Compromised after Appraisement.	Distresses set aside after Appraisement.	Total number of Distresses for Rent.	Amount of Rent for which Distresses were made.	Commission and Fees deposited.	Commission and Fees credited to Government.	Subpoena and Notice Fees.	Total Amount credited to Government.	Unclaimed suitors money transferred to the credit of Government.	REMARKS.
1858.														
May,	14	3	1	1	6	1	26	520 7 6	101 0 0	17 8 0	1 8 0	19 0 0	0 0 0	
June,	51	3	0	0	4	0	58	2145 11 11	367 12 0	77 4 0	7 0 0	84 0 0	0 0 0	
July,	45	9	0	0	5	2	81	1925 8 9	531 7 0	115 0 0	5 4 0	118 4 0	0 0 0	
August,	18	3	0	0	5	1	27	661 0 3	124 0 0	116 0 0	1 8 0	117 8 0	0 0 0	
September,	31	3	0	0	1	1	85	1392 11 6	220 4 0	49 12 0	0 12 0	50 8 0	0 0 0	
October,	7	0	0	0	1	0	8	686 9 3	98 0 0	61 8 0	1 0 0	63 8 0	0 0 0	
November,	25	1	0	0	3	0	29	1004 15 6	175 4 0	46 12 0	0 0 0	46 12 0	0 0 0	
December,	7	1	0	0	0	0	3	254 9 6	41 0 0	21 8 0	0 0 0	21 8 0	0 10 6	
1859.														
January,	48	4	0	2	6	3	63	1789 8 6	326 8 0	134 12 0	5 8 0	140 4 0	0 0 0	
February,	17	9	0	1	1	0	28	799 9 6	138 8 0	38 0 0	1 0 0	39 0 0	0 0 0	
March,	34	1	0	2	3	0	40	1314 3 9	205 0 0	67 0 0	0 0 0	67 0 0	0 0 0	
April,	38	0	0	7	0	5	48	1199 12 3	215 4 0	45 12 0	6 12 0	52 8 0	0 0 0	
Total,	335	36	1	15	35	11	481	13594 12 2	2344 8 0	810 12 0	38 4 0	838 0 0	0 212 12 8	

Amount credited to Government in 1857-58, Ditto in 1858-59, Ditto

Decrease, per cent, 318 0 0

CALCUTTA
COURT OF SMALL CAUSES,
The 7th June 1859.

OGILVY TEMPLE,
Clerk of the Court.

(xii.)

No. 11.

STATEMENT shewing the amount of fines levied from 1st May 1858
to 30th April 1859.

YEARS.	MONTHS.	AMOUNT.
		Rs. As. P.
1858.	May,	30 0 0
"	June,	0 0 0
"	July,	70 0 0
"	August,	29 0 0
"	September,	2 0 0
"	October,	6 0 0
"	November,	0 0 0
"	December,	0 0 0
1859.	January,	0 0 0
"	February,	1 0 0
"	March,	3 8 0
"	April,	61 0 0
£	Total Co.'s Rupees, ...	202 8 0

CALCUTTA
COURT OF SMALL CAUSES,
The 7th June 1859.

OGILVY TEMPLE,

Clerk of the Court.

STATEMENT shewing the Salaries of the Judges and Establishment on the 30th April 1859.

First Judge.	Second Judge.	Third Judge.	Monthly Cost of Es- tablishment.	TOTAL.
1,500 0 0	1,600 0 0	1,000 0 0	5,106 8 7	8,606 8 7 monthly, or 1,03,274 11 0 annually.

CALCUTTA
 COURT OF SMALL CAUSES,
 The 7th June 1859.

OGILVY TEMPLE,
 Clerk of the Court.

STATEMENT showing the amount of costs remitted and unrecovered from 1st May 1858 to 30th April 1859.

MONTHS.	Pauper Suits.	Costs remitted	Costs of Attachments ordered, but not applied for.	Fees for Second Summonses ordered, but not applied for.	Fees for Contempt Processes ordered against Witnesses, but not applied for.	Total.
1858.						
May,	74 7 3	32 11 0	1 8 0	42 6 0	0 0 0	111 0 3
June,	519 15 3	30 3 0	8 12 0	13 6 0	0 12 0	570 0 3
July,	502 4 6	42 13 9	2 14 0	5 2 0	0 10 0	584 12 3
August,	315 0 0	12 3 6	2 12 0	7 12 0	0 6 0	338 1 6
September,	417 0 9	5 3 0	11 10 0	7 2 0	2 4 0	445 8 9
October,	231 12 0	0 0 9	2 4 0	11 4 0	0 0 0	245 4 0
November,	238 13 4	101 10 0	6 8 0	6 4 0	2 0 0	355 3 6
December,	240 1 3	0 0 0	2 2 0	4 2 0	0 4 0	246 9 3
1859.						
January,	465 1 6	94 9 0	4 0 0	10 2 0	0 6 0	574 2 6
February,	328 11 0	62 15 9	3 6 0	11 8 0	1 8 0	408 0 9
March,	464 0 0	0 0 0	4 8 0	27 14 0	0 14 0	307 4 0
April,	546 8 6	7 8 3	3 10 0	71 1 0	4 10 0	635 5 9
Total,	4,143 11 6	389 13 3	51 14 0	187 15 0	13 10 0	4,766 15 9

Calcutta
Court of Small Causes,
The 7th June 1859.

OGILVY TEMPLE,
Clerk of the Court.

REPORT

OF

OF THE

CALCUTTA COURT OF SMALL CAUSES,

FROM

1st May 1860 to 30th April 1861.

Calcutta:

PRINTED AT THE BENGAL MILITARY ORPHAN PRESS.

1861.

LIST OF TABLES AND STATEMENTS.

- No. 1. Part 1st.—Abstract Statement of the Statistics of the Court.
No. 1. Part 2nd.—Ditto ditto ditto.
No. 2.—Comparative Table of Causes set down for hearing, showing how they were disposed of.
No. 3.—Table showing the value of Suits instituted.
No. 4.—Table showing the amount of Commission and Fees received on Suits of different value.
No. 5.—Statement showing the number of Cases undecided.
No. 6.—Abstract Statement of causes set down for hearing, with the Commission and Fees leviable thereon.
No. 7.—Comparative Statement of Commission and Fees realized and credited in cash Accounts 1859-60, 1860-61.
No. 8.—Abstract Statement of sums recovered and paid to plaintiffs.
No. 9.—Table showing the nature of Cases heard and decided.
No. 10.—Statement showing the Statistics of the Distraint Department.
No. 11.—Statement showing the Amount of Fines levied.
No. 12.—Statement showing the Salaries of the Judges and cost of Establishment.
No. 13.—Statement showing the amount of Costs remitted and unrecovered.
No. 14.—Statement showing the net Amount credited to Government in the Cash Accounts.
No. 15.—Statement showing the Amount of Rent of the building occupied by the Court.
No. 16.—Comparative Table.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

To

C. H. LUSHINGTON, Esq.,

Secretary to the Government of Bengal.

SIR,

WE have the honor to forward the Eleventh Annual Report of the business of the Calcutta Court of Small Causes for the year terminating on the 30th April 1861.

2. ● We have also the honor to annex, for the inspection of His Honor the Lieutenant-Governor, a Comparative Table, illustrating the progress of the Court from its establishment, under Act IX. of 1850, up to the present year.

3. The aggregate number of cases instituted during the past year was 31,777, the average number daily being 125.

4. The amount carried to the credit of Government on account of Fees, &c., was Rupees 1,39,165-11-8, while the total expense of the establishment was Rupees 106,782-8-11, leaving a balance of Co.'s Rupees 32,383-2-9 in favor of Government.

5. As the Court House is Government property, the total expenditure, amounting to Rupees 106,782-8-11, mentioned in the foregoing paragraph, *Vide Statement No. 15.* does not include a sum of Rupees 5,500 on account of the rent of the premises occupied by the Court, which have been estimated, but not actually incurred.

6. Although the number of cases instituted in the past official year is less by 510 than that instituted in the previous year, the amount litigated exceeded by Rupees 43,936 that of the previous year, and the net amount credited to Government, as above stated, is the largest since the establishment of the Court.

7. Of the 31,777 cases instituted, 31,094 were set down for hearing, of which 17,247 were actually tried, 13,048 having been decided in favor of plaintiffs, and 4,199 having been either dismissed or non-suited: 10,404 were compromised before being called on for hearing, 3,443 were struck off for non-appearance of the parties, and 179 remained undecided on the 30th April 1861.

We have the honor to be,

SIR,

Your most obedient Servants,

CALCUTTA;
COURT OF SMALL CAUSES,
The 24th July 1861. }

J. WOODROFFE,
HURROCHUNDER GHOSE,
HENRY W. PAYNE, *Offg.*, } *Judges.*
b

TABLE showing the Amount of Commission and Fees received on Suits of different value, from 1st May 1860 to 30th April 1861.

MONTHS.	Commission and Fees on Suits under Rs. 10.	On Suits under Rs. 20.	On Suits under Rs. 50.	On Suits under Rs. 100.	On Suits under Rs. 200.	On Suits under Rs. 300.	On Suits under Rs. 400.	On Suits under Rs. 500.	TOTAL.
1860.									
May,	781 6 0	717 2 6	1515 9 6	1146 4 6	1175 5 6	767 5 3	671 9 6	556 12 6	7331 7 3
June,	1568 11 3	1806 0 9	2141 4 3	1907 14 9	2209 10 0	1218 10 9	1444 14 3	983 9 0	12780 11 0
July,	1515 6 6	1370 15 0	2283 12 6	2063 7 6	2099 7 3	1365 6 9	691 2 0	1510 3 9	12899 13 3
August,	1709 9 3	1516 1 9	2410 2 6	2334 5 6	2216 9 6	1653 15 0	679 13 0	1434 1 9	13954 10 3
September,	2108 0 9	1733 10 0	2588 6 9	2922 5 9	2217 7 6	2262 1 6	1847 6 6	840 12 0	16520 2 3
October,	663 1 9	632 3 9	1056 5 0	898 3 6	1160 6 6	693 0 3	847 4 3	850 3 0	6800 12 3
November,	1125 13 0	1155 13 3	1879 8 0	1567 12 9	1773 15 0	1218 12 9	831 15 9	718 11 9	10272 6 3
December,	568 12 6	371 0 3	808 8 6	878 2 3	817 5 3	621 1 0	576 4 9	754 11 3	5395 13 3
1861.									
January,	1612 9 0	1462 14 6	2678 5 9	2406 3 0	2085 4 6	2022 11 3	1663 5 6	2405 15 3	16337 4 3
February,	1204 9 6	1111 1 0	1949 10 3	1837 14 3	2055 4 6	1206 4 0	997 3 0	1055 7 6	11417 6 3
March,	1293 10 6	982 8 6	1439 15 6	1566 4 9	1495 7 3	1048 12 9	908 1 0	149 2 3	10228 14 6
April,	1152 4 0	969 15 9	2348 3 3	2679 11 6	2635 5 6	1789 14 6	1674 6 0	2058 10 3	15308 6 9
Total,	15303 14 0	13329 7 0	23099 11 9	22208 10 0	21941 8 3	13867 15 9	12833 5 6	14663 4 3	139247 12 6

CALCUTTA:

COURT OF SMALL CAUSES,
The 24th July 1861.

J. TUCKER,

Clerk of the Court.

No. 5.

STATEMENT showing the number of Cases remaining undecided on the 30th April 1861.

NUMBER OF CASES POSTPONED.										
			For Service of Summons.	For Witnesses.	For Attachments.	At the request of parties to the Suit.	Referred to Arbitration.	By Order of the Court.	Total.	REMARKS.
1st Judge's,	...	...	13	20	7	17	6	5	68	
2nd Ditto,	...	...	5	5	4	9	3	9	35	
3rd Ditto,	...	...	16	20	10	1	4	25	76	
			34	45	21	27	13	39	179	

CALCUTTA :
 COURT OF SMALL CAUSES,
The 24th July 1861.

J. TUCKER,
Clerk of the Court.

No. 10.

STATEMENT showing the statistics of the District Department of the Court (under Act VII. of 1847), from 1st May 1860 to 30th April 1861.

MONTHS.	Distress compromised before appraisement.	Sales.	Distress set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distress set aside after appraisement.	Total number of Distresses for Rent.	Amount of rent for which Distresses were made.	Commission and Fees deposited.	Commission and Fees credited to Government.	Subpoena and Notice Fees.	Total amount credited to Government.	REMARKS.
1860.													
May,	12	4	0	0	1	0	17	396 13 0	75 4 0	73 4 0	6 0 0	79 4 0	
June,	35	6	0	0	3	0	44	1647 12 0	287 4 0	123 0 0	0 0 0	123 0 0	
July,	31	1	0	0	5	1	38	2166 12 3	349 12 0	94 0 0	2 0 0	96 0 0	
August,	43	4	0	0	3	0	50	2236 3 8	373 8 0	159 8 0	0 0 0	159 8 0	
September,	39	4	0	0	2	2	47	2 94 0 9	344 0 0	68 4 0	2 0 0	70 4 0	
October,	18	2	0	0	2	0	25	1016 0 9	174 4 0	142 0 0	0 0 0	142 0 0	
November,	35	5	0	0	7	4	52	2694 3 3	456 12 0	212 4 0	5 0 0	217 4 0	
December,	19	1	1	0	0	0	20	977 3 4	156 12 0	40 0 0	16 12 0	56 12 0	
1861.													
January,	52	5	0	0	3	0	60	2523 7 10	416 4 0	169 8 0	20 4 0	189 12 0	
February,	27	6	0	0	3	2	38	2103 15 0	337 0 0	192 0 0	11 0 0	113 0 0	
March,	28	5	0	0	8	0	41	1455 4 3	290 8 0	143 0 0	0 12 0	143 12 0	
April,	37	2	1	1	1	0	42	1984 3 6	311 12 0	130 0 0	4 0 0	134 0 0	
Total,	375	45	2	2	41	9	474	21525 15 7	3534 0 0	1461 12 0	67 12 0	1599 8 0	

Calcutta; COURT OF SMALL CAUSES, The 24th July 1861. J. TUCKER, Clerk of the Court.

STATEMENT showing the amount of Fines levied from 1st May 1860 to 30th April 1861.

YEARS.	MONTHS.							AMOUNT.
1860.	May,	...	...	...	...	...	...	1 0 0
	June,	...	...	...	...	65, refunded 50,	...	15 0 0
	July,...	...	...	...	...	...	...	1 4 0
	August,	...	...	...	...	...	...	19 0 0
	September,	...	...	...	...	...	...	4 8 0
	October,	...	...	...	...	...	...	6 0 0
	November,	...	...	...	...	...	...	0 0 0
	December,	...	...	...	...	...	...	1 8 0
1861.	January,	...	...	...	...	...	...	2 4 0
	February,	...	...	...	...	...	...	0 0 0
	March,	...	...	...	...	...	...	70 8 0
	April,	...	...	...	...	...	...	4 0 0
Total Rupees, ...								125 0 0

CALCUTTA;
COURT OF SMALL CAUSES,
The 24th July 1861.

J. TUCKER,
Clerk of the Court.

*STATEMENT showing the Salaries of the Judges and Costs of the Establishment from
1st May 1860 to 30th April 1861.*

MONTHS.					Salaries of the Judges.	Establishment Charges.	Total.
1860.							
May, ...	...	...	...	...	3500 0 0	5414 3 7	8914 3 7
June, ...	...	...	...	...	3500 0 0	5414 3 7	8914 3 7
July, ...	...	...	...	...	3500 0 0	5414 3 7	8914 3 7
August, ...	...	...	...	...	3500 0 0	5414 3 7	8914 3 7
September, ...	...	...	...	...	3500 0 0	5413 12 2	8913 12 2
October, ...	...	...	...	...	3500 0 0	5414 3 7	8914 3 7
November, ...	...	...	...	...	3500 0 0	5412 3 7	8912 3 7
December, ...	...	...	...	...	3500 0 0	5414 3 7	8914 3 7
1861.							
January, ...	...	...	...	...	3500 0 0	5408 9 4	8908 9 4
February, ...	...	...	...	...	3500 0 0	5413 13 11	8913 13 11
March, ...	...	...	...	...	3500 0 0	5338 15 0	8838 15 0
April, ...	...	...	...	...	3500 0 0	5309 13 5	8809 13 5
Total, ...					42000 0 0	64782 8 11	106782 8 11

CALCUTTA;
COURT OF SMALL CAUSES, }
The 24th July 1861.

J. TUCKER,
Clerk of the Court.

STATEMENT showing the amount of Costs refitted and unrecovered from 1st May 1860 to 30th April 1861.

MONTHS.		Pauper Suits.	Costs refitted.	Costs of Attach- ments ordered, but not appli- ed for.	Fees for second Summonses ordered, but not applied for.	Fees for Con- tempt Pro- cesses ordered against wit- nesses, but not applied for.	TOTAL.
1860.							
May ...	...	119 0 6	0 0 0	3 4 0	9 4 0	0 10 0	132 2 6
June ..	...	283 5 3	3 15 0	10 10 0	5 8 0	0 8 0	303 14 3
July ...	...	426 7 9	0 10 0	3 14 0	28 8 0	0 8 0	459 15 9
August ...	...	365 4 0	0 0 0	2 2 0	6 6 0	0 2 0	373 14 0
September ...	...	293 11 3	0 0 0	4 12 0	3 12 0	0 6 0	302 9 3
October ...	...	399 9 9	0 0 0	3 4 0	0 10 0	0 12 0	404 3 9
November ...	...	144 0 0	0 0 0	5 10 0	13 10 0	0 0 0	164 4 0
December ...	...	310 14 0	6 4 6	13 2 0	8 14 0	0 0 0	
1861.							
January ...	...	381 12 0	25 5 6	7 8 0	11 4 0	1 0 0	339 2 6
February ...	...	562 6 3	100 10 3	8 2 0	25 0 0	1 0 0	426 13 6
March ...	...	578 11 3	99 1 9	3 0 0	28 10 0	0 10 0	697 2 6
April ...	...	1,194 0 6	90 4 6	8 14 0	97 5 0	0 4 0	710 1 0
							1,390 12 0
Total		5,059 2 6	326 3 6	75 2 0	238 11 0	5 12 0	5704 15 0

CALCUTTA;
 COURT OF SMALL CAUSES,
The 24th July 1861.

J. TUCKER,
Clerk of the Court.

STATEMENT showing the Net Amount credited to Government in the Cash Accounts from 1st May 1860 to 30th April 1861.

MONTHS.		Commission and Fees.	Fines.	Unclaimed Suits' money.	Savings from Salaries, sale of old Records, &c.	Total Amount credited.
1860.						
May,	...	5415 12 6	1 0 0	0 0 0	0 0 0	5416 12 6
June,	...	13230 5 8	15 0 0	197 2 0	2 0 0	13444 7 3
July,	...	13292 3 6	1 4 0	105 11 6	0 0 0	13399 3 0
August,	...	12556 14 9	19 0 0	103 2 0	0 4 1	12679 4 10
September,	...	14817 10 9	4 8 0	31 1 9	0 0 0	14853 4 6
October,	...	12079 4 3	6 0 0	63 13 0	0 0 0	12149 1 3
November,	...	7761 5 0	0 0 0	170 13 3	0 0 0	7932 2 3
December,	...	6033 9 0	1 8 0	83 2 3	0 0 0	6168 3 3
1861.						
January,	...	14324 9 6	2 4 0	0 0 0	2 14 6	14329 12 0
February,	...	12778 13 9	0 0 0	0 0 0	0 0 0	12778 13 9
March,	...	11363 4 0	70 8 0	0 0 0	0 6 10	11434 2 10
April,	...	13898 15 6	4 0 0	677 0 6	0 8 3	14580 8 3
Total, ...		137602 11 9	125 0 0	1431 14 3	6 1 8	139165 11 8

J. TUCKER,
Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES,
The 24th July 1861.

No. 15.

STATEMENT showing the amount of Rent of the building occupied by the Court estimated but not incurred from 1st May 1860 to 30th April 1861, prepared in conformity with Mr. Under-Secretary Bell's letter, No. 45A, dated 16th February 1861.

MONTHS.		Rent of Court House estimated but not incurred.	REMARKS.
1860.		Rs.	The house occupied by the Court is Government property, and no rent has been incurred. The third floor has been occupied by Mr. Temple, at a monthly rent of Rs. 20, from May 1860 to February 1861, and under the orders of Government the rent was increased to Rs. 150 for the months of March and April 1861. It is now occupied by the Office of Director of Public Instruction.
May,...	...	500	
June,...	...	500	
July,...	...	500	
August,...	...	500	
September,...	...	500	
October,...	...	500	
November,...	...	500	
December,...	...	500	
1861.			
January,...	...	500	
February,...	...	500	
March,...	...	500	Rent paid by Mr. Temple to the Civil Architect from May 1860 to February 1861, being 10 months, @ Rs. 20 200 0 0
April,...	...	500	Do. do. for the months of March and April 1861, @ Rs. 150 300 0 0
Total,		6,000	
		Ded. 500	
		5,500	

J. TUCKER,
Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES,
The 24th July 1861.

No. 2969A.

FROM J. MONRO, Esq.,

Offg. Under-Secretary to the Government of Bengal,

TO THE JUDGES OF THE COURT OF SMALL CAUSES,

CALCUTTA.

JUDICIAL.

Fort William, the 23rd November 1861.

SIR,

I AM directed to acknowledge the receipt of your communication No. 601, dated the 24th July last, submitting the Annual Report of the business of the Calcutta Court of Small Causes for the Official year 1860-61, and in reply to state that the results therein exhibited are considered by the Lieutenant-Governor to be satisfactory.

I have the honor to be,

SIR,

Your most obedient Servant,

(Sd.) J. MONRO,

Offg. Under-Secretary to the Government of Bengal.

REPORT

OF THE



CALCUTTA COURT OF SMALL CAUSES

FROM

1st May 1862 to 30th April, 1863.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT OFFICE.

1863.

LIST OF TABLES AND STATEMENTS.

- No. 1. Part 1st.—Abstract Statement of the Statistics of the Court.
- No. 1. Part 2nd.—Ditto ditto ditto.
- No. 2.—Comparative Table of Causes set down for hearing, shewing how they were disposed of.
- No. 3.—Table shewing the value of Suits instituted.
- No. 4.—Table shewing the amount of Commission and Fees received on Suits of different value.
- No. 5.—Statement shewing the number of Cases remaining undecided.
- No. 6.—Abstract Statement of Causes set down for hearing and disposed of with the Commission and Fees leviable thereon.
- No. 7.—Comparative Statement of Commission and Fees realized and credited in the Cash Accounts in 1861-62 and in 1862-63.
- No. 8.—Abstract Statement of Sums recovered and paid to Plaintiffs on account of their Suits.
- No. 9.—Table shewing the nature of Causes heard and decided.
- No. 10.—Statement shewing the Statistics of the Distrain Department of the Court (under Act VII. of 1847.)
- No. 11.—Statement shewing the amount of Fines levied.
- No. 12.—Statement shewing the Salaries of the Judges, cost of the Establishment, and House Rent.
- No. 13.—Statement shewing the amount of Costs remitted and unrecovered.
- No. 14.—Statement shewing the Net Amount credited to the Government in the Cash Accounts.
- No. 15.—Comparative Table.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

TO

THE HON'BLE ASHLEY EDEN,

Secretary to the Government of Bengal.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, our Thirteenth Annual Report of the business of this Court for the year 1862-63, ending on the 30th April last.

2. The Statements, herewith submitted, contain a comparative account of the yearly business of the Court from the year 1850-51 down to the present.

3. The aggregate number of cases instituted during the past year was 33,581, showing an increase of 357 cases over that of the previous year. The average number of cases for each day being 126.

4. The receipts on account of fees, &c., were Rupees 1,54,599-7-3, while the cost of the Establishment, including house rent, was Rupees 1,08,059-11-6, leaving a balance to credit of Government of Rupees 46,539-11-9.

1861-62	...	...	Rs. 61,986	9	0
1862-63	...	...	" 46,539	11	9
Difference	...	...	" 5,446	13	9

5. This amount of profit in the year just closed is less by Rupees 5,446-13-9 than that of the preceding year, although the number of cases has been larger.

6. For this result we account in the following way.

7. By reference to the Tables hereto annexed the number of cases for amounts under Rupees 500 and over Rupees 200 for the year 1861-62 is shown to be 1303, while the costs received in cases for those amounts are Rupees 53,525-10-6.

1861-62	...	...	Rs. 53,525	10	6
1862-63	...	...	" 44,810	1	6
Difference	...	...	" 8,715	9	0

8. In 1862-63 the number of cases for similar amounts was 1120, and the costs received were Rupees 44,810-1-6.

9. The actual diminution in amount of fees is not exactly in the ratio of the decrease

NUMBER OF CASES.

		1861-62.		1862-63.
Under Rupees 10	...	16948	...	18889
" " 20	...	6310	...	5680
" " 50	...	5258	...	4130
" " 100	...	2189	...	2372
" " 200	...	1218	...	1378
Total	...	31921	...	32461

COMMISSION AND FEES.

		1861-62.		1862-63.
Under Rupees 10	...	17,613 13 9	...	20,274 9 0 *
" " 20	...	15,678 8 0	...	14,225 14 9
" " 50	...	24,741 9 0	...	21,520 2 0
" " 100	...	22,592 8 0	...	21,173 7 3
" " 200	...	24,284 8 6	...	24,065 14 0
Total	...	1,04,910 5 9	...	1,05,150 15 0

PAUPER SUITS.

	1861-62.		1862-63.
Rupees	7,947 12 0	...	10,793 10 9

of cases for larger amounts as between this year and last year. That diminution has been partly made up by an increase in the cases for lower amounts as will appear* from the figures given in the margin. Against the profits arising from the increase of cases for smaller amounts must be set off. The larger number of pauper suits. Such fees as are recovered in pauper suits are not always realized, and credited in the account of the year in which the suits are instituted.

10. With reference to the classification of suits and returns, sent herewith, no more particular account can be rendered, and it seems to us that the diminished receipts upon cases of the larger amounts, above shewn, establishes with sufficient certainty the cause of decreased profit.

11. This decrease, in cases of this class, may be attributable partly to Act XIV. of 1859 having come into operation in January 1862, as cases involving larger amounts were forced into Court in consequence of that Act at the close of 1861 ; and may be also partly ascribed to the adoption of a simple procedure in the original jurisdiction of the High Court which appears to have prevented the institution in the Small Cause Court of many suits such as were formerly brought under Section 34 of Act IX. of 1850, permitting the abandonment of sums in excess of Rupees 500.

12. Of the 33581 cases instituted, 33552 were set down for hearing, of which 19157 were actually tried, *viz.*, 14125 were decided in favour of the plaintiffs, and 5032 were either dismissed or non-suited ; 11074 were compromised before being called on for hearing ; 3321 were struck off for non-appearance of the parties, and 107 remained undecided on the 30th April 1863, less by fifty than last year.

We have the honor to be,

SIR,

Your most obedient Servants,

CALCUTTA ;
COURT OF SMALL CAUSES,
The 5th May 1863. }

C. BOULNOIS,
HURUCHUNDER GHOSE, } *Judges.*
HENRY W. PAYNE, }

CALCUTTA.
COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUCKER,
Clerk of the Court.

CALCUTTA.
COURT OF SMALL CAUSES,
The 5th May 1863.

TABLE shewing the value of Suits instituted from the 1st May 1862 to 30th April 1863.

MONTHS.		Under Rs. 10.	Above Rs. 10 and under Rs. 20.	Above Rs. 20 and under Rs. 50.	Above Rs. 50 and under Rs. 100.	Above Rs. 100 and under Rs. 200.	Above Rs. 200 and under Rs. 300.	Above Rs. 300 and under Rs. 400.	Above Rs. 400 and under Rs. 500.	Total.
1862.										
May	...	1655	406	389	200	112	42	22	15	2941
June	...	1442	404	353	172	119	37	18	19	2564
July	...	1834	557	400	198	109	54	25	27	3294
August	...	2249	550	453	242	124	50	32	16	3746
September	...	1475	535	308	192	115	45	30	20	2720
October	...	699	203	140	87	37	21	11	12	1210
November	...	1781	565	263	197	96	61	42	25	3030
December	...	1025	335	301	103	92	41	17	18	1937
1863.										
January	...	1919	606	443	240	147	49	21	13	3438
February	...	1645	492	368	209	126	58	26	15	2939
March	...	1689	560	311	299	154	69	31	16	3129
April	...	1476	473	287	228	147	63	31	28	2733
Total.		18889	5686	4136	2372	1378	590	306	224	33681

CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUCKER,
Clerk of the Court.

No. 4.

TABLE shewing the amount of Commission and Fees received on Suits of different value from 1st May to 30th April 1863.

MONTHS.	Commission and fees on Suits under Rupees 10.		On Suits under Rupees 20.		On Suits under Rupees 50.		On Suits under Rupees 100.		On Suits under Rupees 200.		On Suits under Rupees 300.		On Suits under Rupees 400.		On Suits under Rupees 500.		Total.	
	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.
1862.																		
May	1,628	2 0	1,041	10 0	1,905	8 3	1,908	13 6	2,161	10 3	1,431	14 9	1,028	1 3	878	11 6
June	1,642	13 3	1,027	11 6	1,830	15 3	1,918	6 5	1,890	10 0	1,245	9 0	848	0 3	1,140	8 3
July	1,832	13 0	1,296	14 0	2,492	2 6	2,005	1 0	2,239	4 3	1,762	4 6	1,057	6 3	1,629	1 9
August	2,254	12 9	1,282	6 6	2,252	6 9	2,325	10 9	2,359	7 3	1,669	11 6	1,475	5 0	935	0 0
September	1,533	3 6	1,079	14 3	1,563	6 3	2,076	7 0	2,063	8 9	1,225	6 0	1,198	10 6	1,081	6 0
October	764	14 6	605	9 0	767	9 9	937	14 6	723	12 9	598	3 0	506	3 0	662	12 0
November	2,190	3 9	1,447	1 3	1,656	5 0	2,295	13 6	1,994	6 9	1,567	9 0	1,735	4 9	1,380	7 6
December	1,130	6 9	837	5 0	1,288	4 3	1,146	11 6	1,694	14 3	1,319	12 3	763	9 9	1,105	6 3
1863.																		
January	2,220	14 6	1,897	12 0	2,530	2 0	2,746	1 3	2,545	8 3	1,441	15 3	969	13 6	761	15 6
February	1,848	8 9	1,330	15 9	1,471	13 6	1,805	2 9	2,021	4 3	1,773	1 9	1,226	10 0	904	14 9
March	1,702	6 9	1,953	6 6	1,778	1 9	2,655	11 6	2,534	3 0	1,961	4 3	1,357	2 6	964	7 6
April	1,525	5 6	1,025	5 0	1,663	6 9	2,291	9 9	2,717	4 3	2,113	1 6	1,390	9 6	1,692	13 6
Total	20,274	9 0	14,225	14 9	21,520	2 0	24,173	7 3	24,965	14 0	18,109	12 9	13,556	12 3	13,143	8 6
																	1,49,970	0 6

CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUCKER,
Clerk of the Court.

No. 5. ●

STATEMENT shewing the number of Cases remaining undecided on the 30th April 1863.

	NUMBER OF CASES POSTPONED.							REMARKS.
	For service of Summons.	For Witnesses.	For Attachments.	At the request of Parties to the Suit.	Referred to Arbitration.	By order of the Court.	Total.	
1st Judge ...	12	2	1	1	10	14	46	
2nd Ditto ...	7	6	2	5	4	7	31	
3rd Ditto ...	6	4	0	5	9	6	30	
Total ...	25	12	3	11	29	27	107	

CALCUTTA;
 COURT OF SMALL CAUSES,
 The 5th May 1863.

J. TUCKER,
 Clerk of the Court.

ABSTRACT STATEMENT of Causes set down for hearing and disposed of with the Commission and Fees leviable thereon from 1st May 1862 to 30th April 1863.

MONTHS.	Judgments for Plaintiffs.	Judgments for Defendants.	Struck out.	Non-suited.	Compromised.	Total Number of Cases disposed of.	Undecided.	Total Number of Cases instituted.	Commission and Fees leviable.
1862.									Rs. As. P.
May ...	1127	148	256	238	893	2662	.....	2841	13,276 3 9
June ...	1092	191	225	283	819	2610	.....	2564	12,330 5 3
July ...	1257	216	269	268	946	3006	.....	3294	13,649 8 6
August ...	1375	214	311	287	1177	3364	.....	3746	14,922 4 9
September ...	1631	215	348	325	1426	3945	.....	2720	15,955 10 6
October ...	221	52	110	89	119	531	.....	1210	3,615 0 3
November ...	1136	175	287	240	932	2770	.....	3030	13,584 7 0
December ...	982	130	243	222	826	2403	.....	1937	11,555 13 3
1863.									
January ...	1206	180	363	256	979	2994	.....	3438	14,883 10 3
February ...	1382	152	302	288	933	3057	.....	2939	16,789 11 6
March ...	1515	157	298	288	1075	3333	.....	3129	15,597 9 9
April ...	1201	156	309	262	899	2827	107	2733	16,685 13 3
Total ...	14125	1986	3321	3046	11074	33552	107	33531	1,61,846 2 0

Amount leviable

ADD—Transferred Costs of 30th April 1862 not included in this Statement...

DEDUCT—Costs remitted from May 1862 to April 1863, as per Statement No. 13 ...

„ Transferred Costs of 30th April 1863 included in this Statement, but transferred on 1st May 1863

Credited in Cash Accounts ...

Deduct debited in ditto as Costs returned

As per Statement No. 7 ...

CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUCKER,
Clerk of the Court.

ABSTRACT STATEMENT of Sums recovered and paid to Plaintiffs on account of their Suits from 1st May 1862 to 30th April 1863.

		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
Balance on hand ...			15,261 4 2		
To Cash received on Causes decreed in May 1862.		17,401 2 10			19,179 11 7
Ditto	ditto	June "	18,807 11 1	ditto	June 1862.
Ditto	ditto	July "	20,059 9 11	ditto	July "
Ditto	ditto	August "	19,112 10 11	ditto	August "
Ditto	ditto	Sept. "	20,889 8 0	ditto	Sept. "
Ditto	ditto	Oct. "	9,133 1 0	ditto	Oct. "
Ditto	ditto	Nov. "	16,987 14 9	ditto	Nov. "
Ditto	ditto	Dec. "	17,812 12 3	ditto	Dec. "
Ditto	ditto	Jany. 1863.	21,948 0 8	ditto	Jany. 1863.
Ditto	ditto	Feby. "	26,179 2 6	ditto	Feby. "
Ditto	ditto	March "	25,528 13 3	ditto	March "
Ditto	ditto	April "	23,341 0 2	ditto	April "
Rupees ...			2,37,201 6 11	Balance ...	2,38,380 8 5
				Rupees ...	14,082 2 8
					2,52,462 11 1

CALCUTTA ;
 COURT OF SMALL CAUSES,
 The 5th May 1863.

J. TUCKER,

Clerk of the Court.

TABLE shewing the nature of Causes heard and decided from 1st May 1862 to 30th April 1863.

MONTHS.	Goods sold and delivered.	Bills of Exchange and Promissory Notes.	Wages.	Work and Labor.	Money paid.	Money lent.	Money had and received.	Account stated.	Use and occupation.	On Judgments.	Guarantee.	Partnership Balance.	Other Actions on contract.	Trover.	Actions on the case.	Trespass to property.	Assault.	Replevin.	Interpleader.	Recovery of small Tenements.	Ejectment.	Against Execution and Administration.	Covenant.	Total.
1862.																								
May	1,073	83	202	144	32	406	131	99	106	7	7	8	74	64	75	5	80	0	58	3	0	0	0	2,662
June	962	92	219	201	19	425	131	96	129	5	8	8	65	50	55	1	91	0	51	2	0	0	0	2,610
July	1,123	119	188	197	18	537	128	143	137	5	6	5	96	73	55	4	90	1	68	2	1	0	0	3,006
August	1,407	119	185	197	27	590	168	105	132	5	4	10	103	80	67	4	93	0	53	1	4	0	0	3,364
September	1,675	117	240	239	20	657	190	126	126	9	12	2	114	84	60	6	129	0	67	3	10	0	0	3,916
October	159	15	62	46	1	85	42	14	23	1	1	0	26	29	10	2	34	0	33	2	0	0	0	591
November	1,091	88	214	182	25	471	125	100	109	10	5	9	99	63	49	0	89	0	37	4	0	0	0	2,770
December	924	106	200	148	13	425	105	94	100	6	7	6	74	43	42	1	60	0	49	0	0	0	0	2,403
1863.																								
January	1,137	97	214	161	36	547	150	105	106	6	8	9	97	75	63	5	85	1	75	7	0	0	0	2,984
February	1,161	109	218	148	15	574	135	127	156	7	7	6	102	95	43	6	79	0	62	6	1	0	0	3,057
March	1,328	108	252	184	36	565	171	115	138	4	13	3	116	68	55	2	93	0	79	3	0	0	0	3,333
April	1,118	92	198	170	25	487	122	99	92	4	8	4	108	85	53	3	99	0	55	4	1	0	0	2,827
Total ...	13,158	1,150	2,462	2,017	276	5,769	1,399	1,223	1,360	69	86	70	1,074	809	627	39	1,022	2	656	37	17	0	0	33,552

CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUCKER,
Clerk of the Court.

STATEMENT shewing the Statistics of the District Department of the Court (under Act VIII. of 1817) from 1st May 1862 to 30th April 1863.

MONTHS.	Distresses compromised before appraisement.	Sales.	Distresses set aside before appraisement.	Unexecuted.	(Compromised after appraisement.	Distresses set aside after appraisement.	Total number of Distresses for rent.	Amount of rent for which Distresses were made.	Commission and Fees deposited.	Commission and Fees credited to Government.	Subpoena and Notice Fees.	Total Amount credited to Government.	REMARKS.
1862.													
May	15	7	.....	.....	5	.....	28	1,434 8 0	231 8 0	116 0 0	0 0 0	116 0 0	
June	25	2	.....	.....	2	.....	32	1,141 11 4	238 4 0	83 4 0	4 4 0	86 8 0	
July	30	5	.....	.....	6	.....	41	3,363 7 3	504 4 0	175 8 0	7 8 0	183 0 0	
August	17	3	.....	.....	3	.....	23	885 15 0	148 12 0	85 0 0	0 0 0	85 0 0	
September	23	7	.....	.....	8	.....	38	1,801 0 0	294 12 0	145 8 0	0 0 0	145 8 0	
October	11	6	.....	.....	4	.....	15	886 4 6	140 12 0	36 4 0	0 0 0	36 4 0	
November	35	6	.....	.....	4	.....	45	3,620 0 3	518 12 0	150 4 0	17 4 0	167 8 0	
December	20	...	.....	.....	8	.....	29	1,314 13 3	222 12 0	132 8 0	6 8 0	139 0 0	
1863.													
January	40	6	.....	.....	4	.....	50	3,053 11 3	479 12 0	159 0 0	0 0 0	159 0 0	
February	19	5	.....	.....	5	.....	30	1,556 7 0	250 8 0	158 0 0	0 8 0	158 8 0	
March	18	4	.....	.....	3	.....	25	1,485 3 63	237 8 0	128 12 0	0 8 0	129 4 0	
April	12	4	.....	.....	7	.....	25	1,681 15 6	264 0 0	140 4 0	7 12 0	148 0 0	
*Total	265	49	.....	3	59	5	381	22,598 0 103	3,561 8 0	1,509 4 0	44 4 0	1,563 8 0	

CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUOKER,
Clerk of the Court.

STATEMENT shewing the amount of Fines from 1st May 1862 to 30th April 1863.

YEARS.	MONTHS.	AMOUNT.		
		Rs.	As.	P.
1862.	May	5	0	0
	June	20	8	0
	July	2	0	0
	August	145	0	0
	September	8	0	0
	October	6	0	0
	November	27	0	0
	December	2	1	0
1863.	January	5	2	0
	February	22	12	3
	March	8	12	6
	April	11	0	0
Total Rupees ...		263	1	9

CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863.

}

J. TUCKER,
Clerk of the Court.

STATEMENT shewing the Salaries of the Judges, cost of the Establishment, and House Rent from 1st May 1862 to 23rd April 1863.

MONTHS.	Salaries of the Judges.			Establishment charges.			House Rent.			TOTAL.		
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
1862.												
May... ..	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
June	3,500	0	0	4,999	8	11	500	0	0	8,999	8	11
July... ..	3,500	0	0	4,953	2	6	500	0	0	8,953	2	6
August	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
September	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
October	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
November	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
December	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
1863.												
January	3,500	0	0	5,005	15	10	500	0	0	9,005	15	10
February	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
March	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
April	3,500	0	0	5,011	3	7	500	0	0	9,011	3	7
Total ..	42,000	0	0	60,059	11	6	6,000	0	0	1,08,059	11	6

• CALCUTTA;
COURT OF SMALL CAUSES,
The 5th May 1863. }

J. TUCKER,
Clerk of the Court.

No. 13.

STATEMENT showing the amount of Costs remitted and unrecovered from 1st May 1862 to 30th April 1863.

MONTHS.		Paper Suits.		Costs remitted.		Costs of Attachments ordered but not applied for.		Fees for second Summons ordered but not applied for.		Fees for contempt Processes ordered against Witnesses but not applied for.		Total.		REMARKS.
		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
1862.														
In May	...	607 0 0	68 0 0	2 8 0	3 6 0	4 10 0	4 10 0	745 8 0						
" June	...	652 3 6	49 4 9	4 6 0	13 4 0	1 2 0	1 2 0	720 4 3						
" July	...	505 4 9	65 15 3	1 8 0	10 10 0	1 0 0	1 0 0	534 6 0						
" August	...	672 6 9	79 8 0	2 8 0	11 6 0	0 10 0	0 10 0	768 6 9						
" September	...	1,032 14 9	65 1 6	0 2 0	5 6 0	1 0 0	1 0 0	1,104 8 3						
" October	...	378 1 6	33 0 6	.....	6 0 0	0 0 0	0 0 0	417 2 0						
" November	...	357 11 3	94 13 3	2 2 0	9 6 0	0 12 0	0 12 0	894 12 6						
" December	...	633 2 9	137 13 9	.....	6 4 0	0 14 0	0 14 0	778 2 6						
1863,														
In January	...	876 3 9	14 4 0	1 8 0	10 14 0	1 12 0	1 12 0	904 9 9						
" February	...	1,555 1 9	8 7 0	0 8 0	8 10 0	0 0 0	0 0 0	1,572 10 9						
" March	...	1,488 15 9	30 5 0	3 0 0	28 0 0	0 8 0	0 8 0	1,550 12 9						
" April	...	1,514 8 3	127 0 9	0 8 0	22 6 0	0 0 0	0 0 0	1,504 7 0						
Total		10,793 10 9	773 9 9	18 10 0	145 8 0	12 4 0	12 4 0	11,743 10 6						

CALCUTTA ;
 COURT OF SMALL CAUSES,
 The 5th May 1863.

J. TUCKER,
 Clerk of the Court.

STATEMENT shewing the Net Amount credited to Government in the Cash Accounts from 1st May 1862 to 30th April 1863.

MONTHS.		Commission and Fees.	Times.	Unclaimed Suitor's Money.	Savings from Salaries, sale of old Records, &c.	Total amount cre- dited.
1862.		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
May	...	12,699 12 6	5 0 0	87 10 0	0 0 0	12,792 6 6
June	...	11,758 14 9	20 8 0	289 2 0	0 6 0	12,068 14 9
July	...	12,978 13 0	2 2 0	240 0 3	0 0 0	13,220 13 3
August	...	14,078 6 6	145 0 0	375 13 3	0 6 3	14,599 10 0
September	...	16,181 1 3	8 0 0	497 2 7	0 0 0	15,686 3 10
October	...	3,526 12 0	6 0 0	235 10 0	0 0 0	3,769 6 3
November	...	12,618 0 9	27 0 0	212 0 9	0 0 0	12,857 1 6
December	...	11,013 8 3	2 1 0	239 0 3	0 0 0	11,254 9 6
1863.						
January	...	14,003 9 6	5 0 0	0 0 0	0 0 0	14,008 9 6
February	...	14,527 0 3	22 12 3	0 0 0	0 0 0	14,549 12 6
March	...	14,030 14 9	8 12 6	0 0 0	0 0 0	14,039 11 8
April	...	14,862 7 0	11 0 0	879 13 5	0 0 0	15,753 4 5
Total		1,51,279 4 6	263 1 9	3,056 4 9	0 12 3	1,54,599 7 3

CALCUTTA;

COURT OF SMALL CAUSES,
The 5th May 1863

J. TUCKER,

Clerk of the Court.

COMPARATIVE TABLE.

	1st Year 1850-51.	2nd Year 1851-52.	3rd Year 1852-53.	4th Year 1853-54.	5th Year 1854-55.	6th Year 1855-56.	7th Year 1856-57.	8th Year 1857-58.	9th Year 1858-59.	10th Year 1859-60.	11th Year 1860-61.	12th Year 1861-62.	13th Year 1862-63.
Number of Cases Instituted { English Naivo Total	4407	4544	4706	4397	4492	5517	6251	5834	5450	6472	6624	6750	6882
Amount litigated	16616	22935	23095	20758	20271	21421	22412	22749	22749	27553	28254	28254	27749
Commission and Fees paid into Court on Institution of Suits	21223	27749	29741	24453	24076	27089	28026	30443	28076	32287	31777	32254	33381
Net amount of Commission and Fees credited to Government on Suits	4,47,381	5,31,404	5,17,463	5,10,850	5,25,130	5,65,241	5,78,111	5,80,123	5,75,412	6,03,303	6,17,169	6,11,194	6,10,622
Amount credited to Government on account of fines and Landlords	59,631	73,988	73,753	73,212	73,570	90,544	1,01,464	1,12,779	1,09,980	1,37,317	1,28,247	1,34,136	1,40,970
Amount credited to Government on account of savings from Salaries, &c.	57,452	74,799	77,302	75,150	73,892	90,433	1,00,000	1,12,624	1,07,919	1,25,062	1,26,073	1,27,258	1,40,725
Net total amount credited to Government	1,51,070	1,77,586	1,88,807	1,83,512	1,82,032	2,11,517	2,22,464	2,35,403	2,28,918	2,72,436	2,54,190	2,61,124	2,82,418
Amount paid into Court under Decrees	59,892	77,575	79,757	77,696	75,760	92,158	1,03,098	1,14,101	1,10,915	1,32,144	1,23,165	1,21,100	1,54,599
Amount paid out of Court under Decrees	2,43,113	2,91,804	3,14,017	3,08,690	3,12,190	3,39,373	3,72,072	4,08,224	3,94,462	4,56,928	4,20,021	4,28,703	5,27,301
Net total amount paid out of Court under Decrees	2,43,113	2,91,804	3,14,017	3,08,690	3,12,190	3,39,373	3,72,072	4,08,224	3,94,462	4,56,928	4,20,021	4,28,703	5,27,301
Number of Cases instituted daily	127	131	131	131	131	131	131	131	131	131	131	131	131
Cases under Appeals	127	131	131	131	131	131	131	131	131	131	131	131	131
Number of Summons issued	51,880	63,174	63,483	63,174	63,174	63,174	63,174	63,174	63,174	63,174	63,174	63,174	63,174
Subpoenas	18,962	21,909	21,909	21,909	21,909	21,909	21,909	21,909	21,909	21,909	21,909	21,909	21,909
Writs of Execution	3018	3018	3018	3018	3018	3018	3018	3018	3018	3018	3018	3018	3018
Warrants	167	167	167	167	167	167	167	167	167	167	167	167	167
Commitments	446	446	446	446	446	446	446	446	446	446	446	446	446
Warrants to see and defend filed	2170	2170	2170	2170	2170	2170	2170	2170	2170	2170	2170	2170	2170
Judgments for Plaintiffs	689	689	689	689	689	689	689	689	689	689	689	689	689
Judgments for Defendants	4172	4172	4172	4172	4172	4172	4172	4172	4172	4172	4172	4172	4172
Non-suits	6055	6055	6055	6055	6055	6055	6055	6055	6055	6055	6055	6055	6055
Struck out and compromised	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533
Amount of half costs returned in Cases compromised	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533	10,533

CALCUTTA;

COURT OF SMALL CAUSES,
The 5th May 1863.

J. TUCKER,
Clerk of the Court.

No. 196T.

(RESOLUTION.)

JUDICIAL.

Fort William, the 5th August 1863.

READ a letter, No. 919, dated the 5th May, from the Judges of the Calcutta Court of Small Causes, submitting the Report of the business of the Court during the year 1862-63.

The Lieutenant-Governor observes that from the circumstance of Act XIV. of 1859 having come into operation during the year 1861-62, as also in consequence of the adoption of a simpler form of procedure in the original jurisdiction of the High Court lessening the inducement to parties to avail themselves of the provisions of Section 34 of Act IX. of 1850, the receipts of the Court have fallen short of those of the previous year by Rupees 5,446-13-9. His Honor is, however, glad to find that the total number of suits brought before the Court during the year under review is larger than that of the preceding year, notwithstanding that that year was, in one respect, an exceptional one; and that the financial result of the present Report does not, by any means, indicate any decrease of public confidence in the Court, or of its usefulness, which, with every new year, appears to be steadily increasing.

The general results exhibited in the Report under review are accordingly considered by His Honor to be satisfactory.

ORDERED, that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes with reference to their letter No. 919, dated 5th May last.

By Order of the Lieutenant-Governor of Bengal,

(Sd.) J. GEOGHEGAN,

Under-Secretary to the Government of Bengal.

REPORT

OF THE



CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1863-64.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT OFFICE.

1864.

LIST OF TABLES AND STATEMENTS.

- No. 1. Part 1st.—Abstract Statement of the Statistics of the Court.
- No. 1. Part 2nd.—Ditto ditto ditto.
- No. 2.—Comparative Table of Causes set down for hearing, showing how they were disposed of.
- No. 3.—Table showing the value of Suits instituted.
- No. 4.—Table showing the amount of Commission and Fees received on Suits of different value.
- No. 5.—Statement showing the number of Cases remaining undecided.
- No. 6.—Abstract Statement of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon.
- No. 7.—Comparative Statement of Commission and Fees realized and credited in the Cash Accounts in 1862-63 and in 1863-64.
- No. 8.—Abstract Statement of Sums recovered and paid to Plaintiffs on account of their Suits.
- No. 9.—Table showing the nature of Causes heard and decided.
- No. 10.—Statement showing the Statistics of the Distrain Department of the Court, (under Act VII. of 1847.)
- No. 11.—Statement showing the amount of Fines levied.
- No. 12.—Statement showing the Salaries of the Judges, Cost of the Establishment, and House Rent.
- No. 13.—Statement showing the amount of Costs remitted and unrecovered.
- No. 14.—Statement showing the Net Amount credited to Government in the Cash Accounts.
- No. 15.—Statement showing the amount of Rent of the Building occupied by the Court estimated but not incurred.
- No. 16.—Statement of Indigent Debtors relieved.
- No. 17.—Comparative Table.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

TO

F. R. COCKERELL, Esq.,

Officiating Secretary to the Government of Bengal.

Dated the 17th May 1864.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the Fourteenth Annual Report of the business of this Court for the year ending on the 30th April last.

2. A Comparative Table herewith submitted exhibits the yearly progress of the Court from the date of its institution.

3. The number of cases instituted during the past year was 34,880, giving a daily average of 130 cases for 267 days on which the Court was open.

4. The amount litigated in these suits was Rupees 12,10,923-6-11.

5. The net amount carried to the credit of Government on account of fees, &c., was Rupees 1,68,403-11-9, while the total expense of the Establishment was Rupees 1,07,435-4-11, leaving a balance of clear profit in favor of Government of Rupees 60,968-6-10, or about one-third more than the corresponding balance of the previous year.

6. During the past year there has been an increase of 1,299 in the number of cases instituted as compared with the preceding year; of Rupees 1,56,694-11-4 in the amount litigated; of Rupees 13,804-4-6 in the net amount credited to Government, and of Rupees 14,428-11-1 in the clear profit of the Court.

* 7. As no exceptional cause has been at work during the past year to promote litigation, the increase thus shown must be attributed to the progressive growth of the business of the Court.

8. In the Report submitted for the year ending on the 30th April 1863 a decrease was noted in the amount litigated as compared with the litigation of the preceding year, which decrease was ascribed partly to the circumstance that the adoption of a simpler procedure in the Original Jurisdiction of the High Court had led to the institution in that Court of a class of suits which had formerly been instituted in this Court. The Returns now submitted would seem to show that the changes referred to have had no permanent effect in withdrawing litigation from this Court.

• 9. Of the 34,880 cases instituted 34,862 were set down for hearing, of which 19,733 were actually tried; 14,688 were decided in favor of the plaintiffs, and 5,045 were either dismissed or nonsuited; 11,630 were compromised before being called on for hearing; 3,499 were struck off for non-appearance of the parties, and 169 remained undecided on the 30th April 1864.

10. As the extended powers of jurisdiction conferred by Act XXVI. of 1864 only came into operation from the 14th of April, it would be premature to report now upon the working of that Act. We may state, however, that sixteen suits for an aggregate amount of Rupees 11,530-2-6 were filed between the 14th and 30th April.

11. In connection with this subject we desire to record our opinion that, for trying these important cases with the care and attention which they demand, it is essential that an additional Judge be at once appointed since the business of the Court is even now too heavy for the present Judicial Staff. The increased Revenue which must result from suits brought under the extended jurisdiction of the Court will afford ample means for defraying the expense of this necessary increase of Establishment.

We have the honor to be,

Sir,

Your most obedient Servants,

NINIAN HILL THOMSON,

MURUCHUNDER GHOSE,

HENRY W. PAYNE,

Judges of the Calcutta Court of Small Causes.

COMPARATIVE TABLE of Causes set down for hearing from the 1st May 1862 to 30th April 1863, and from 1st May 1863 to 30th April 1864, showing how they were disposed of.

	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	TOTAL.
	1862 1863	1862 1863	1862 1863	1862 1863	1862 1863	1862 1863	1862 1863	1862 1863	1863 1864	1863 1864	1863 1864	1863 1864	1862-63 1863-64
Judgment for Plaintiffs...	1127 1206	1032 1355	1257 1502	1375 1400	1631 1730	221 934	414 1136	982 1195	1132 1206	1326 1382	1515 1299	1201 1117	14125 14688
Judgment for Defendants.	148 159	191 215	215 196	214 213	215 252	52 135	71 175	130 190	180 180	167 152	218 156	180 1986	2183
Nonsuited and struck out	494 490	508 492	537 557	568 540	673 659	199 390	274 527	465 556	619 634	648 590	580 558	571 534	6362
Compromised	893 945	819 988	990 1232	1177 1102	1426 1375	119 706	932 274	826 1038	979 870	1117 933	1075 1057	899 926	11630
Undecided—postponed; after being called on for hearing—													
In 1862-63,—167													
In 1863-64,—169													
Total	2662 2800	2610 3050	3006 3517	3364 3264	3945 4025	591 2925	1033 2770	2493 2979	2984 2816	3258 3057	3333 3132	2927 2763	33552 34862

CALCUTTA;

COURT OF SMALL CAUSES,

The 17th May 1864.

J. TUCKER,

Clerk of the Court.

TABLE showing the Value of Suits instituted from the 1st May 1863 to 30th April 1864.

MONTHS.	Under Rs. 10.	Above Rs. 10 and under Rs. 20.	Above Rs. 20 and under Rs. 50.	Above Rs. 50 and under Rs. 100.	Above Rs. 100 and under Rs. 200.	Above Rs. 200 and under Rs. 300.	Above Rs. 300 and under Rs. 400	Above Rs. 400 and under Rs. 500.	Above Rs. 500 and under Rs. 600.	Above Rs. 600 and under Rs. 700.	Above Rs. 700 and under Rs. 800.	Above Rs. 800 and under Rs. 900.	Above Rs. 900 and under Rs. 1,000.	TOTAL.
1863.														
May	2,926
June	2,971
July	3,704
August	3,367
September	4,275
October	863
November	2,029
December	2,309
1864.														
January	3,439
February	3,153
March	3,145
April	2,699
Total	34,840

CALCUTTA:
 COURT OF SMALL CAUSES,
 The 17th May 1864.

J. TUCKER,

Clerk of the Court.

TABLE showing the Amount of Commission and Fees received on Suits of different value from 1st May 1863 to 30th April 1864.

MONTHS.	Commission and Fees on Suits under Rupees 10.												On Suits under Rupees 20.	On Suits under Rupees 50.	On Suits under Rupees 100.	On Suits under Rupees 200.	On Suits under Rupees 300.	On Suits under Rupees 400.	On Suits under Rupees 500.	On Suits under Rupees 600.	On Suits under Rupees 700.	On Suits under Rupees 800.	On Suits under Rupees 900.	On Suits under Rupees 1,000.	Total.														
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.		Rs.	As.	P.	Rs.	As.	P.								
1863.																																							
May	1,834	13	0	1,224	7	3	1,556	4	0	2,478	14	0	2,052	1	3	2,130	6	3	1,365	10	0	1,780	13	0	.....	.....	.....	.....	.....	.....	.....	14,424	5	6
June	1,945	1	9	1,653	0	6	1,241	3	3	2,218	10	0	1,844	6	0	1,693	0	0	1,567	9	6	1,360	11	0	.....	.....	.....	.....	.....	.....	.....	13,523	13	6
July	2,429	12	6	953	0	3	2,277	5	3	2,519	2	9	2,015	6	0	2,355	5	6	2,481	9	0	2,284	0	0	.....	.....	.....	.....	.....	.....	.....	17,255	9	3
August	2,008	15	2	1,234	4	3	2,155	2	9	2,590	8	9	2,507	1	6	2,214	10	3	1,201	3	9	1,322	5	3	.....	.....	.....	.....	.....	.....	.....	15,464	4	3
September	2,952	9	3	1,391	10	3	2,832	5	0	2,867	1	9	3,269	6	3	2,836	2	0	1,663	2	9	1,834	9	9	.....	.....	.....	.....	.....	.....	.....	19,446	15	0
October	508	5	0	411	0	0	520	6	0	932	5	6	612	2	3	651	12	0	112	9	6	519	3	0	.....	.....	.....	.....	.....	.....	.....	4,627	11	3
November	1,470	14	6	611	0	6	909	10	3	1,397	4	9	1,303	13	3	1,050	8	0	1,115	4	0	1,610	4	0	.....	.....	.....	.....	.....	.....	.....	9,473	11	3
December	1,724	13	0	785	15	9	1,036	11	0	1,449	3	0	1,349	14	9	1,453	5	3	1,379	8	6	1,227	1	6	.....	.....	.....	.....	.....	.....	.....	10,416	8	9
1864.																																							
January	1,778	11	3	1,173	8	0	1,404	9	3	2,409	14	0	2,352	8	9	2,275	2	9	1,963	3	6	2,052	13	0	.....	.....	.....	.....	.....	.....	.....	16,101	6	6
February	1,717	8	0	1,220	9	3	1,382	11	0	2,329	8	9	1,958	7	0	1,698	1	3	2,330	14	0	2,337	3	3	.....	.....	.....	.....	.....	.....	.....	14,974	15	0
March	1,885	7	6	1,381	5	0	1,139	0	3	2,033	10	6	1,984	11	0	1,938	12	3	1,744	15	9	2,223	2	9	.....	.....	.....	.....	.....	.....	.....	14,311	1	0
April	1,628	3	9	1,014	7	0	1,234	14	6	2,577	10	3	2,003	14	0	1,573	7	0	1,273	0	6	1,481	2	0	474	8	6	258	5	3	288	0	3	14,433	10	6			
Total	21,976	3	3	13,067	4	0	17,710	2	6	28,153	14	0	23,295	12	6	21,676	8	6	18,593	10	9	20,693	8	9	156	13	0	159	4	6	239	5	3	298	0	3	1,64,503	15	9

CALCUTTA;
COURT OF SMALL CAUSES,
The 17th May 1864.

J. TUCKER,
Clerk of the Court.

No. 5.

STATEMENT showing the Number of Cases remaining undecided on the 30th April 1864.

	NUMBER OF CASES POSTPONED.							REMARKS.
	For service of Summons.	For Witnesses.	For Attachments.	At the request of Parties to the Suits.	Referred to Arbitration.	By order of the Court.	Total.	
1st Judge ...	17	14	2	10	4	19	66	
2nd Ditto ...	6	6	6	5	4	7	34	
3rd Ditto ...	12	6	0	10	8	33	69	
Total ...	35	26	8	25	16	59	169	

J. TUCKER,
Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES,
The 17th May 1864.

No 6.

ABSTRACT STATEMENT of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon, from 1st May 1863 to 30th April 1864.

(vii)

MONTHS.	Judgments for Plaintiffs.	Judgments for Defendants.	Struck out.	Nonsuited.	Compromised.	Total Number of Cases disposed of.	Undecided.	Total Number of Cases instituted.	Commission and Fees leviable.
1863.									Rs. As. P.
May	1,206	159	216	274	945	2,800	.....	2,926	15,229 0 3
June	1,355	215	248	194	988	3,050	.....	2,971	16,027 13 6
July	1,502	196	361	226	1,232	3,517	.....	3,704	17,347 13 6
August	1,409	213	300	240	1,102	3,264	.....	3,367	15,971 10 3
September	1,739	252	408	253	1,375	4,025	.....	4,275	19,158 2 6
October	994	135	204	186	786	2,225	.....	863	10,802 13 0
November	414	71	154	120	274	1,033	.....	2,029	6,582 12 2
December	1,195	190	278	278	1,038	2,979	.....	2,309	13,256 2 6
1864.									
January	1,132	199	335	299	870	2,816	.....	3,439	15,152 11 0
February	1,326	167	346	312	1,117	3,258	.....	3,153	16,442 4 9
March	1,299	218	305	253	1,057	3,132	.....	3,145	15,165 0 6
April	1,117	186	296	238	926	2,763	169	2,699	14,680 0 9
Total	14,683	2,182	3,499	2,863	11,630	34,862	169	34,880	1,75,116 5 0
Amount leviable									
Add—Transferred Costs of 30th April 1863 not included in this Statement									
Deduct—Costs remitted from May 1863 to April 1864 as per Statement No. 13									
Transferred Costs of 30th April 1864 included in this Statement, but transferred on 2nd May 1864									
Credited in Cash Accounts									
Deduct debited in ditto as Costs returned									
As per Statement No. 7.									
1,75,116 5 0									
849 13 9									
1,75,966 2 9									
12,163 8 6									
1,63,802 10 3									
74 8 3									
1,63,728 2 0									

CALCUTTA;
 COURT OF SMALL CAUSES,
 The 17th May 1864.
 J. TUCKER,
 Clerk of the Court.

COMPARATIVE STATEMENT of Commission and Fees realized and credited in the Cash Accounts in 1862-63 and in 1863-64.

MONTHS.			1862-63.			MONTHS.			1863-64.			REMARKS.			
			On account of Fees received on Dis- tribution of Suits.			Total.			On account of Fees received on Dis- tribution of Suits.			Total.			
			Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Total Increase of Fees in 1863-64.	Total Decrease of Fees in 1863-64.
1862.															
In May	...	...	12,585 8 9	1 12 3	12,583 12 6	116 0 0	12,699 12 6	14,129 12 6	12 4 9	14,117 7 9	82 12 0	14,500 3 9	1,900 7 3	0 0 0	0 0 0
" Deduct Costs returned	...	...	11,688 4 0	20 13 3	11,672 6 9	86 8 0	11,758 14 9	13,990 0 8	4 13 0	13,985 3 9	181 12 0	14,166 15 9	2,408 1 0	0 0 0	0 0 0
" June	...	...	12,796 7 3	0 10 3	12,795 13 0	183 0 0	12,978 13 0	16,368 7 6	45 8 0	16,320 15 0	100 4 0	16,421 3 0	3,442 6 6	0 0 0	0 0 0
" Deduct Costs returned	...	...	13,903 6 6	0 0 0	13,903 6 6	85 0 0	14,078 6 6	15,122 12 9	0 0 6	15,122 12 3	69 8 0	15,192 4 3	1,113 13 9	0 0 0	0 0 0
" August	...	...	15,037 9 6	2 0 3	15,035 9 3	145 8 0	15,181 1 3	17,677 2 6	...	17,677 2 6	89 0 0	17,757 14 9	2,576 13 6	0 0 0	0 0 0
" September	...	...	3,490 8 0	0 0 0	3,490 8 0	38 4 0	3,528 12 0	10,559 13 3	...	10,559 13 3	61 0 0	10,619 13 0	7,093 1 0	0 0 0	0 0 0
" Deduct Costs returned	...	...	12,450 8 9	0 0 0	12,450 8 9	167 8 0	12,618 0 9	6,251 3 0	0 0 3	6,251 2 9	50 12 3	6,304 14 9	0 0 0	6,313 2 0	0 0 0
" November	...	...	10,871 8 3	0 0 6	10,874 8 3	139 0 0	11,013 8 3	11,524 8 6	0 0 0	11,524 8 6	71 12 0	11,596 4 6	882 12 3	0 0 0	0 0 0
" December	...	...	13,844 9 6	0 0 0	13,844 9 6	159 0 0	14,003 9 6	14,353 7 0	2 5 6	14,351 1 6	139 9 0	14,490 9 6	497 0 0	0 0 0	0 0 0
" Deduct Costs returned	...	...	11,368 8 3	0 0 0	11,368 8 3	158 8 0	11,527 0 3	15,297 7 3	...	15,297 7 0	117 4 0	15,414 11 0	687 10 9	0 0 0	0 0 0
" February	...	...	13,901 10 9	0 0 0	13,901 10 9	129 4 0	14,030 14 9	13,714 12 3	0 0 0	13,714 8 3	9149 4 0	13,903 12 3	0 0 0	167 2 6	0 0 0
" March	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
" April	...	...	14,789 11 3	75 4 3	14,714 7 0	149 0 6	14,862 7 0	14,212 3 0	0 0 0	14,212 3 0	162 0 0	14,374 3 0	0 0 0	488 4 0	0 0 0
" Deduct Costs returned	...	...	1,40,846 10 3	190 13 9	1,40,725 13 6	1,653 8 0	1,51,270 4 6	1,63,728 2 0	...	1,63,728 2 0	1,274 12 0	1,65,002 14 0	20,802 2 0	0,968 8 6	0 0 0
Credited in Cash Accts.	1,40,846 10 3	190 13 9	1,40,725 13 6	1,653 8 0	1,51,270 4 6	1,63,728 2 0	...	1,63,728 2 0	1,274 12 0	1,65,002 14 0	20,802 2 0	0,968 8 6	0 0 0
Deduct Costs returned as above shown	120 13 9
"	1,40,725 12 6
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No. 8.

ABSTRACT STATEMENT of Sums recovered and paid to Plaintiffs on account of their Suits from 1st May 1863 to 30th April 1864.

		Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
Balance on hand ...		.....			14,082	2	8			
To Cash received on Causes decreed in May 1863		24,371	10	4	By Cash paid to Plaintiffs on Causes decided in May 1863					
Ditto ditto	ditto	27,077	1	2	Ditto ditto	ditto		21,508	0	1
Ditto ditto	ditto	23,374	7	10	Ditto ditto	ditto		27,631	9	7
Ditto ditto	ditto	25,527	0	1	Ditto ditto	ditto		25,454	5	8
Ditto ditto	ditto	21,720	2	7	Ditto ditto	ditto		24,251	5	7
Ditto ditto	ditto	18,012	6	2	Ditto ditto	ditto		21,727	12	11
Ditto ditto	ditto	11,343	12	9	Ditto ditto	ditto		17,565	8	8
Ditto ditto	ditto	14,930	12	5	Ditto ditto	ditto		13,081	10	7
Ditto ditto	ditto	21,566	8	11	Ditto ditto	ditto		15,398	4	8
Ditto ditto	ditto	25,503	4	4	Ditto ditto	ditto		19,998	10	11
Ditto ditto	ditto	21,209	5	4	Ditto ditto	ditto		24,481	1	7
Ditto ditto	ditto	22,521	15	7	Ditto ditto	ditto		23,703	10	10
					Ditto ditto	ditto		21,232	6	4
								2,56,034	7	5
								15,296	2	9
Ruppes ...		.....			Ruppes ...			2,71,330	10	2

CALCUTTA; }
 COURT OF SMALL CAUSES,
 The 17th May 1864.

J. TUCKER,
 Clerk of the Court.

TABLE showing the nature of Causes heard and decided from 1st May 1863 to 30th April 1864.

MONTHS.		Goods sold and delivered.	Bills of Exchange and Promissory Notes.	Wages.	Work and Labor.	Money paid.	Money lent.	Money had and received.	Account stated.	Use and occupation.	On Judgments	Guarantee.	Partnership Balance.	Other Actions on contract.	Trover.	Actions on the case.	Trespass to property.	Assault.	Replevin.	Interpleader claims.	Recovery of small Tenements.	Ejectment.	Against Executors and Administrators.	Covenant.	TOTAL.
1863.		1,143	107	196	166	23	446	152	83	115	10	7	6	82	69	44	5	67	...	69	1	2	6	1	2,800
May	1,214	99	209	192	31	36	452	168	107	143	11	3	8	108	77	46	4	115	...	65	1	4	2	...	3,050
June	1,465	124	173	208	36	36	582	170	119	155	6	7	8	127	77	77	3	98	...	68	4	7	3	...	3,517
July	1,288	110	213	197	22	22	561	164	122	126	5	6	15	93	85	66	3	101	...	83	2	4	8	...	3,264
August	1,776	218	258	220	31	31	524	161	109	142	13	5	5	187	79	101	5	104	...	70	6	1	6	...	4,225
September	836	153	140	148	28	28	283	83	21	84	3	6	2	241	32	67	3	77	...	43	3	5	1	...	2,225
October	310	50	82	47	26	26	137	30	10	39	5	1	6	116	35	32	1	26	...	39	1	...	...	...	1,033
November	1,100	196	190	157	33	33	386	59	32	129	19	5	8	312	49	72	3	86	1	46	1	1	4	...	2,979
December																									
1864.																									
January	1,040	179	205	158	55	367	81	22	125	125	2	6	12	299	68	52	...	55	...	77	4	7	2	...	2,916
February	1,329	242	236	182	50	397	100	35	110	110	5	5	11	316	68	51	1	74	...	75	1	...	...	...	3,258
March	1,287	236	237	198	68	325	83	37	116	116	13	3	7	286	57	51	6	63	...	63	1	1	4	...	3,132
April	1,191	162	191	181	43	283	74	30	118	118	1	6	16	243	53	46	4	64	2	40	3	1	6	...	2,763
Total ...	14,069	1,916	2,300	2,054	441	4,743	1,325	727	1,402	93	60	101	2,390	740	685	38	933	3	738	28	30	42	1	34,862	

CALCUTTA;
COURT OF SMALL CAUSES,
The 17th May 1864.

J. TUCKER,
Clerk of the Court.

STATEMENT showing the Statistics of the Distraint Department of the Court (under Act VII. of 1847) from 1st May 1863 to 30th April 1864.

MONTHS.		Distress compromised before appraisement.	Sales.	Distress set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distresses set aside after appraisement.	Total Number of Distresses for Rent.	Amount of Rent for which Distresses were made.	Commission and Fees deposited.	Commission and Fees credited to Government.	Subpoena and Notice Fees.	Total Amount credited to Government.	REMARKS.
1863.														
May	...	22	3	.....	2	6	..	33	Rs. 2,083 8 0	232 0 0	62 12 0	0 0 0	62 12 0	
June	...	25	3	.....	..	3	..	31	2,202 15 0	344 12 0	181 12 0	0 0 0	181 12 0	
July	...	34	4	.....	...	6	2	43	1,995 9 8	318 0 0	97 0 0	3 4 0	100 4 0	
August	...	27	3	.....	...	2	1	33	1,126 2 6	204 4 0	68 0 0	1 8 0	63 8 0	
September	...	33	4	.....	1	4	..	42	1,548 11 6	261 8 0	89 0 0	0 0 0	69 0 0	
October	...	9	3	.....	...	1	..	13	461 7 0	82 12 0	59 12 0	1 4 0	61 0 0	
November	...	23	2	.....	...	7	1	32	1,817 12 3	296 4 0	50 12 0	0 0 0	50 12 0	
December	...	19	1	.....	...	2	..	23	1,874 2 0	283 8 0	65 12 0	0 0 0	71 12 0	
: 1864.														
January	...	29	1	.....	2	5	1	38	2,319 0 6	364 0 0	135 12 0	3 12 0	139 8 0	
February	...	21	4	.....	...	4	..	29	1,425 15 11	234 0 0	116 12 0	0 8 0	117 4 0	
March	...	17	3	.....	5	1	..	26	1,753 3 3	235 0 0	149 4 0	0 0 0	149 4 0	
April	...	21	4	.....	4	3	..	32	1,965 11 10	302 4 0	162 0 0	0 0 0	162 0 0	
Total		280	35	.....	14	44	5	378	20,579 3 5	3,188 4 0	1,258 8 0	16 4 0	1,274 12 0	

CALCUTTA;
COURT OF SMALL CAUSES,
The 17th May 1864.

J. TUCKER,
Clerk of the Court.

STATEMENT showing the Amount of Fines from 1st May 1863 to 30th April 1864.

YEARS.	MONTHS.					AMOUNT.
						Rs. As. P.
1863.	May	...	...	...	...	50 10 6
	June	...	...	...	...	3 0 0
	July	...	...	...	...	7 5 3
	August	...	...	...	...	7 0 0
	September	...	...	...	...	9 4 0
	October	...	...	...	...	1 4 0
	November	...	...	...	...	.....
	December	...	...	...	...	3 0 0
1864.	January	...	...	...	...	17 0 0
	February	...	...	...	...	1 4 0
	March	...	...	...	...	.....
	April	...	..	..	...	2 11 3
	Total Rupees					102 7 0

CALCUTTA ;
COURT OF SMALL CAUSES,
The 17th May 1864. }

J. TUCKER,
Clerk of the Court.

No. 12.

STATEMENT showing the Salaries of the Judges, Cost of the Establishment, and House Rent from 1st May 1863 to 30th April 1864.

Months.	Salaries of the Judges.	Establishment Charges.	House Rent.	Total.
1863.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
May ...	2,822 9 2	5,010 6 7	500 0 0	8,332 15 9
June ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
July ...	3,500 0 0	5,010 0 10	500 0 0	9,010 0 10
August ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
September ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
October ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
November ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
December ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
1864.				
January ...	3,500 0 0	5,011 3 7	500 0 0	9,011 3 7
February ...	3,500 0 0	5,000 12 10	500 0 0	9,000 12 10
March ...	3,500 0 0	5,003 5 7	500 0 0	9,003 5 7
April ...	3,500 0 0	5,009 8 10	500 0 0	9,009 8 10
Total ...	41,322 9 2	60,112 11 9	6,000 0 0	1,07,435 4 11

CALCUTTA ;
COURT OF SMALL CAUSES,
The 17th May 1864. }

J. TUCKER,
Clerk of the Court.

STATEMENT showing the Amount of Costs remitted and unrecovered from 1st May 1863 to 30th April 1864.

MONTHS.	Pauper Suits.	Costs remitted.	Costs of Attachments ordered but not applied for.	Fees for second Summonses ordered but not applied for.	Fees for contempt Processes ordered against Witnesses but not applied for.	Total.	REMARKS.
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
1863.							
May...	986 1 0	32 5 0	8 2 0	38 1 0	0 10 0	1,065 3 0	
June ...	948 1 0	171 4 9	2 2 0	10 2 0	0 14 0	1,132 7 9	
July ...	952 12 9	62 12 9	0 0 0	14 8 0	.....	1,030 1 6	
August...	1,201 14 0	32 1 0	0 4 0	11 2 0	0 8 0	1,245 13 0	
September	1,253 5 0	18 3 0	8 10 0	15 8 0	0 2 0	1,300 12 0	
October	375 12 3	15 5 9	1 8 0	2 8 0	0 2 0	395 4 0	
November	603 5 3	18 0 0	0 0 0	9 12 0	0 2 0	631 3 3	
December	846 5 0	50 0 3	0 4 0	15 12 0	0 4 0	912 9 3	
1864.							
January ...	754 2 0	75 12 6	0 4 0	8 4 0	0 14 0	830 4 6	
February	1,483 6 0	41 5 9	2 14 0*	35 6 0	.....	1,562 15 9	
March	938 11 6	47 10 0	8 6 0	26 6 0	17 3 0	1,038 4 6	
April ...	528 11 6	32 11 9	4 2 0	11 10 0	0 10 0	577 13 3	
Total ...	10,877 7 3	597 8 6	36 8 0	198 15 0	21 5 0	11,731 11 9	

CALCUTTA;
COURT OF SMALL CAUSES,
The 17th May 1864.

J. TUCKER,
Clerk of the Court.

• STATEMENT showing the net amount credited to Government in the Cash Accounts from 1st May 1863 to 30th April 1864.

MONTHS.		Commission and Fees.	Fines.	Unclaimed Suitors' Money.	Savings from Salaries, sale of old Records, &c.	Total Amount credited.
1863.						
May	...	Rs. As. P. 14,500 3 9	Rs. As. P. 50 10 6	Rs. As. P. 205 15 6	Rs. As. P.	Rs. As. P. 14,756 13 9
June	...	14,166 15 9	3 0 0	196 11 9	.....	14,366 11 6
July	...	16,421 8 6	7 5 3	294 8 3	.....	16,723 1 0
August	...	15,192 4 3	7 0 0	506 14 9	191 2 3	15,897 5 3
September	...	17,757 14 9	9 4 0	217 4 0	0 4 0	17,984 10 9
October	...	10,619 13 0	1 4 0	311 4 0	.....	10,932 5 0
November	...	6,304 14 9	.....	280 0 0	.....	6,584 14 9
December	...	11,596 4 6	3 0 0	132 11 3	0 15 0	12,032 14 9
1864.						
January	...	14,490 9 6	17 0 0	.....	.....	14,507 9 6
February	...	15,414 11 0	1 4 0	.....	.....	15,415 15 0
March	...	13,863 12 3	.....	.....	.....	13,863 12 3
April	...	14,374 3 0	2 11 3	960 12 0	.....	15,337 10 3
Total		1,65,002 14 0	102 7 0	3,106 1 6	192 5 3	1,68,403 11 9

CALCUTTA;

COURT OF SMALL CAUSES,
The 17th May 1864.

J. TUCKER,
Clerk of the Court.

No. 15.

STATEMENT showing the Amount of Rent of the Building occupied by the Court estimated but not incurred from 1st May 1863 to 30th April 1864, prepared in conformity with Mr. Under-Secretary Bell's letter No. 45A., dated 16th February 1861.

MONTHS.						Rent of Court House estimated but not incurred.	REMARKS.
1863.						Rs.	
May	...	...	...	...	...	500	
June	...	...	...	...	...	500	
July	...	...	...	...	...	500	
August	...	...	...	...	...	500	
September	...	...	...	...	...	500	
October	...	...	...	...	...	500	
November	...	...	...	...	...	500	
December	...	...	...	...	...	500	
1864.							
January	...	...	...	...	...	500	
February	...	...	...	...	...	500	
March	...	...	...	...	...	500	
April	...	...	...	...	...	500	
Total ...						6,000	

CALCUTTA ;
COURT OF SMALL CAUSES,
The 17th May 1864.

}

J. TUCKER,
Clerk of the Court.

No. 16.

STATEMENT of Indigent Debtors relieved from 1st May 1863 to 30th April 1864, prepared in conformity with Mr. Secretary Eden's letter No. 873T., dated 1st October 1863.

Date and Month.	Names of Parties relieved.						Amount paid.
1863.							Rs. As. P.
18th May	Mr. DeCruz	..	..	..	..	..	12 10 0
12th June	A. Lawlor	..	..	..	..	..	37 1 0
15th Ditto	George Erskine	...	...	...	...	...	10 0 0
23rd July	J. C. Baytenper	..	..	..	..	..	10 0 0
Ditto	L. Rodrigues	..	..	..	..	..	2 0 0
15th August	G. Crump	...	..	..	..	..	6 0 0
3rd September ...	R. Baker ..	..	..	..	..	..	5 0 0
11th Ditto	John Whitten	..	..	..	..	..	5 0 0
13th October	E. Hopkins	..	...	...	...	...	41 14 0
14th Ditto	J. D. Seymour	...	...	...	...	...	5 7 8
1864.							
16th January	James Lewis	...	...	...	...	...	0 10 6
18th Ditto	F. A. Barker	...	...	...	...	...	31 8 0
23rd Ditto	James Lewis	...	...	...	...	...	0 10 6
3rd February	Martin Hought	...	..	...	...	...	10 0 0
16th Ditto	G. A. Walker	...	...	...	...	...	62 4 8
19th Ditto	Jadub Chunder Doss	...	...	...	...	...	5 0 0
30th March	Mongeah Bewah	...	...	...	...	...	4 0 0
20th April	C. Grant ..	...	...	...	...	...	16 0 0
25th Ditto	J. DeCruz	...	...	...	...	...	55 8 0
Total Rupees						...	320 9 6

CALCUTTA;
COURT OF SMALL CAUSES,
The 17th May 1864.

}

J. TUCKER,
Clerk of the Court.

No 17.

COMPARATIVE TABLE.

	1st Year 1850-51.	2nd Year 1851-52.	3rd Year 1852-53.	4th Year 1853-54.	5th Year 1854-55.	6th Year 1855-56.	7th Year 1856-57.	8th Year 1857-58.	9th Year 1858-59.	10th Year 1859-60.	11th Year 1860-61.	12th Year 1861-62.	13th Year 1862-63.	14th Year 1863-64.
Number of English Cases, in- stituted... Total	4467 16014 21935 437351	4544 22265 27786 531459	4730 22683 22683 517463	4897 24058 24058 308750	4442 40251 27043 325159	5017 51111 37781 453231	5254 52412 50413 501721	5934 55444 50413 501721	5159 51500 50534 765412	5159 51500 50534 765412	5159 51500 50534 765412	5159 51500 50534 765412	5159 51500 50534 765412	5159 51500 50534 765412
Amount litigated Commission and Fees paid into Court on institution of Suits	50,331 14 0	73,883 8 9	73,703 12 0	73,212 14 3	75,870 7 8	90,544 10 3	1,01,464 2 0	1,12,775 12 0	1,03,200 7 0	1,35,317 7 0	1,39,247 12 6	1,54,406 0 3	1,40,070 0 3	1,61,303 15 9
Net amount of Commission and Fees credited to Govern- ment on Suits	57,452 13 0	74,766 4 9	77,262 4 9	75,150 7 6	73,359 9 0	96,183 9 0	1,04,964 11 0	1,12,621 0 0	1,07,018 0 0	1,35,092 15 3	1,30,073 3 9	1,57,259 5 3	1,40,735 12 6	1,62,728 2 0
Ditto on Disbursements for Rent Amount credited to Govern- ment on account of unclaimed Inheritance	1,510 7 0	1,778 8 0	1,969 8 0	1,620 8 0	1,459 12 0	1,515 4 0	1,700 0 0	1,157 0 0	830 0 0	1,452 12 0	1,526 0 0	1,118 7 4	1,553 9 6	1,274 13 0
Amount credited to Govern- ment on account of unclaimed Inheritance belonging to Suitors and Landlords	651 6 6	555 4 3	461 13 3	756 15 9	249 12 3	223 11 9	421 5 3	343 5 9	292 8 0	100 0 0	125 0 0	839 5 0	283 1 9	102 7 0
Ditto on account of savings from Salaries, sale of old Furniture, Records, &c.	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	0 0 0	785 4 9	9,750 13 3	1,403 0 3	1,467 12 10	1,431 14 3	2,314 2 10	3,056 4 9	3,106 1 6
Net total amount credited to Government in the Cash Accounts	207 6 0	712 0 3	100 9 3	0 0 0	693 3 8	25 0 0	15 3 6	255 9 2	88 2 0	6 15 0	6 1 9	10 4 1	0 13 3	105 5 3
Amount paid into Court under Decrees Decrease	59,922 1 0	77,875 1 8	78,777 3 3	77,566 7 3	75,760 5 5	92,158 12 0	1,09,066 1 0	1,21,101 3 2	1,10,915 11 0	1,32,144 5 7	1,30,153 11 8	1,61,100 5 2	1,54,509 7 3	1,65,403 11 9
Number of days on which the Court was open Average number of Cases instituted daily Cases under Decrees	246,313 0 0	2,51,564 11 0	1,13,17 2 9	1,08,429 7 11	1,12,190 14 4	1,30,773 13 7	1,72,672 0 8	1,98,324 3 1	1,51,062 0 10	2,02,956 15 10	2,30,431 5 4	2,43,762 7 1	2,37,301 6 11	2,57,448 7 6
Number of Summons issued Second Summons Subpoenas Attachments Writs of Execution Bench Warrants Copies of Judgments Commitments Warrants to sue and defend filed Judgments for Plaintiffs Judgments for Defendants Non-suits Struck out and compromised Undecided Amount of half Costs returned in Cases com- promised	51,859 0 18,932 3,919 167 2174 8339 683 4172 6853 10,533	68,173 8,066 27,717 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930	63,963 7,774 21,927 8,918 624 3,205 103,48 832 5,831 10,223 9,930

CALCUTTA
COURT OF SMALL CAUSES,
The 17th May 1864.

J. TUCKER.

Clerk of the Court.

(RESOLUTION.)

JUDICIAL.

Fort William, the 3rd June 1864.

READ a letter, No. 2, dated the 17th ultimo, from the Judges of the Calcutta Court of Small Causes, submitting the Report of the business of the Court during the year 1863-64.

The results exhibited in this Report are considered by the Lieutenant-Governor to be highly satisfactory. The number of suits instituted during the year under review has increased by 1,299 as compared with last year, while the amount in litigation has increased in a much larger proportion as shown by the figures in the margin. These results are far from exhibiting any diminution in the confidence which the public is disposed to place in the

	<i>Number of Institutions.</i>	<i>Amount litigated for.</i>
1862-63	33,581	Rs. 10,54,228 0 0
1863-64	34,880	" 12,10,923 0 0
Increase ...	1,299	" 1,56,695 0 0

Court. His Honor also considers the financial operations of the Court to be equally satisfactory, as it has yielded a revenue of Rupees 60,968 after paying all expenses.

ORDERED, that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes with reference to their letter No. 2, dated the 17th ultimo.

(Sd.) S. C. BAYLEY,

Junior Secretary to the Government of Bengal.

No. 3297.

Copy forwarded to the Judges of the Calcutta Court of Small Causes.

By Order of the Lieutenant-Governor of Bengal,

FORT WILLIAM,	}	S. C. BAYLEY,
<i>The 3rd June 1864.</i>		<i>Junior Secretary to the Government of Bengal.</i>

[Exd. W. Hungerford.]

REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1864-65.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT OFFICE

1865.

LIST OF TABLES AND STATEMENTS.

- No. 1. Part 1st.—Abstract Statement of the Statistics of the Court.
- No. 1. Part 2nd.—Ditto ditto ditto.
- No. 2.—Comparative Table of Causes set down for hearing, shewing how they were disposed of.
- No. 3.—Table shewing the value of Suits instituted.
- No. 4.—Table shewing the amount of Commission and Fees received on Suits of different value.
- No. 5.—Statement shewing the number of Cases remaining undecided.
- No. 6.—Abstract Statement of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon.
- No. 7.—Comparative Statement of Commission and Fees realized and credited in the Cash Accounts in 1862-63 and in 1863-64.
- No. 8.—Abstract Statement of Sums recovered and paid to Plaintiffs on account of their Suits.
- No. 9.—Table shewing the nature of Causes heard and decided.
- No. 10.—Statement shewing the Statistics of the Constraint Department of the Court, (under Act VII. of 1847.)
- No. 11.—Statement shewing the amount of Fines levied.
- No. 12.—Statement shewing the Salaries of the Judges, Cost of the Establishment, and House Rent.
- No. 13.—Statement shewing the amount of Costs remitted and unrecovered.
- No. 14.—Statement shewing the Net Amount credited to Government in the Cash Accounts.
- No. 15.—Statement shewing the amount of Rent of the Building occupied by the Court estimated but not incurred.
- No. 16.—Statement of Indigent Debtors relieved.
- No. 17.—Statement of the number of *Ex parte* Cases disposed of by the Judges.
- No. 18.—Comparative Table.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

TO

THE HON'BLE ASHLEY EDEN,

Secretary to the Government of Bengal.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the Fifteenth Annual Report of the business of this Court for the year 1864-65 ending on the 30th April last.

2. The aggregate number of cases instituted in this Court during the past year was 35,948 shewing an increase of 1,068 cases over that of the previous year. The average number of cases for each day was 137·7.

3. The receipts on account of Fees, &c., were Rupees 2,17,475-13-5, while the cost of the Establishment, including House Rent, was Rupees 1,36,549-6, leaving a balance to the credit of the Government of Rupees 80,926-7-5.

4. Of the suits instituted 35,879 were set down for hearing, 6,189 were tried *ex parte*, 9,137 were decided in favor of the Plaintiffs, 4,941 dismissed or nonsuited, 15,612 compromised or struck off for non-attendance of the parties, and 153 remained undecided.

5. The number of cases instituted under Act XXVI. of 1864 for amounts exceeding Rupees 500 from the 14th of April 1864, on which day that Act came into operation, was 562. The Fees received by the Court on cases of such amounts were Rupees 44,756-1-9.

We have the honor to be,

SIR,

Your most obedient Servants,

CALCUTTA;
COURT OF SMALL CAUSES,
The 1st June 1865.

C. BOULNOIS,
N. H. THOMSON,
HURUCHUNDER GHOSE,
E. DACOSTA,
Judges of the Calcutta Court of Small Causes.

C

J. TUCKER,

CALCUTTA;
 COURT OF SMALL CAUSES,
 The 1st June 1865.

No. 3.

TABLE shewing the Value of Suits instituted from the 1st May 1864 to 30th April 1865.

MONTHS.	Under Rs. 10.	Above Rs. 10 and under Rs. 20.	Above Rs. 20 and under Rs. 50.	Above Rs. 50 and under Rs. 100.	Above Rs. 100 and under Rs. 200.	Above Rs. 200 and under Rs. 300.	Above Rs. 300 and under Rs. 400.	Above Rs. 400 and under Rs. 500.	Above Rs. 500 and under Rs. 600.	Above Rs. 600 and under Rs. 700.	Above Rs. 700 and under Rs. 800.	Above Rs. 800 and under Rs. 900.	Above Rs. 900 and under Rs. 1,000.	TOTAL.
1864... May	1,581	542	303	266	130	56	35	17	12	11	9	6	13	2,981
June	1,766	456	277	230	112	86	31	27	12	8	7	4	5	3,015
July	2,133	511	281	242	140	54	32	23	17	6	6	6	10	3,460
August	2,461	616	306	315	167	81	41	31	12	11	5	2	9	4,147
September	2,265	613	343	267	122	55	48	25	15	5	7	3	9	3,812
October	372	162	93	84	43	15	16	6	5	4	2	2	2	805
November	1,959	549	286	261	129	59	40	27	17	14	12	10	13	3,376
December	1,330	318	182	157	76	49	31	14	8	9	6	6	8	2,192
1865... January	1,528	429	316	232	128	74	35	17	13	10	10	3	4	2,799
February	1,870	496	279	250	125	67	34	26	14	9	8	8	13	3,199
March	1,940	568	339	297	183	68	39	26	19	22	13	9	9	3,532
April	1,272	454	283	296	115	115	33	18	17	10	4	5	8	2,630
Total	20,471	5,714	3,378	2,897	1,470	807	414	256	161	119	89	69	103	35,948

Calcutta :
COURT OF SMALL CAUSES,
The 1st June 1865.

J. TUCKER,
Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES.
The 1st June 1865.

J. TUCKER,
Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES.
The 1st June 1865.

No. 5.

STATEMENT shewing the Number of Cases remaining undecided on the 30th April 1865.

	NUMBER OF CASES POSTPONED.							REMARKS.
	For service of Summons.	For Witnesses.	For Attachments.	At the request of parties to the Suit.	Referred to Arbitration.	By order of the Court.	Total.	
1st Judge	8	12	1	9	11	14	55	
2nd Judge	17	10	0	9	12	10	58	
3rd Judge	5	5	0	0	4	3	17	
4th Judge	3	5	0	2	8	5	23	
Total	33	32	1	20	35	32	153	

J. TUCKER,
Clerk of the Court.

Calcutta;
Court of Small Causes,
The 1st June 1865.

No. 6.

ABSTRACT STATEMENT of Causes set down for hearing and disposed of with the Commission and Fees leviable thereon from 1st May 1864 to 30th April 1865.

MONTHS.		Judgments for Plaintiffs.	Judgments for Defendants.	Struck out.	Nonsuited.	Compromised.	Total Number of Cases disposed of.	Undecided.	Total Number of Cases instituted.	Commission and Fees leviable.		
										Re.	As.	P.
1864.												
May	...	1,301	197	291	205	1,017	3,011	...	2,081	17,696	3	0
June	...	1,224	144	317	270	903	2,863	...	3,015	15,980	14	6
July	...	1,343	164	331	295	1,036	3,169	...	3,160	19,694	4	6
August	...	1,715	212	384	333	1,302	3,948	...	4,147	22,691	3	3
September	...	2,086	287	484	378	1,801	5,036	...	3,812	26,379	12	0
October	...	211	28	82	41	79	441	...	835	3,883	10	9
November	...	1,226	151	329	286	850	2,822	...	3,376	20,508	1	0
December	...	1,302	173	326	217	981	3,005	...	2,193	18,634	2	9
1865.												
January	...	881	143	327	180	679	2,210	...	2,799	15,203	10	3
February	...	1,420	190	313	245	1,072	3,275	...	3,199	21,449	3	9
March	...	1,463	197	366	275	1,197	3,438	...	3,532	23,192	3	6
April	...	1,151	131	347	213	758	2,603	153	2,630	21,775	2	1
Total		15,326	2,023	3,932	2,918	11,680	35,879	153	35,918	2,27,188	7	4

Amount leviable	2,27,188	7	4
ADD—Transferred Costs of 30th April 1864 not included in this Statement	431	12	9
	2,27,620	4	1
DEDUCT—Costs remitted from May 1864 to April 1865, as per Statement No. 13	14,111	15	7
Transferred Costs of 30th April 1865 included in this Statement, but transferred on 2nd May 1865	984	11	9
	15,096	11	4
	2,12,523	8	9
	267	11	0
	2,12,255	13	9

Credited in Cash Accounts
Deduct debited in Cash Accounts as Costs returned

As per Statement No. 7

J. TUCKER,
Clerk of the Court.

No. 7.

COMPARATIVE STATEMENT of Commission and Fees realized and credited in the Cash Accounts in 1863-64 and in 1864-65.

MONTHS.				1863-64.				MONTHS.				1864-65.				Total Increase of Fees in 1864-65.		REMARKS.
				On account of Fees received on the institution and prosecution of suits.				On account of Fees received on disbursements for rent.				Total.				Total Decrease of Fees in 1864-65.		
1863.				Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	1864.				Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
In May	Deduct Costs returned	14,323 7 6	14,317 7 9	14,560 3 9	In May	Deduct Costs returned	16,424 13 3	68 13 0	16,488 11 3	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" June	Deduct Costs returned	13,980 0 9	13,985 3 9	14,166 15 9	" June	Deduct Costs returned	15,464 12 3	77 12 0	15,469 4 3	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" July	Deduct Costs returned	16,528 7 6	16,530 15 6	16,421 3 6	" July	Deduct Costs returned	18,352 13 9	73 8 0	18,352 13 9	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" August	Deduct Costs returned	15,122 12 9	15,123 12 3	15,163 4 3	" August	Deduct Costs returned	21,208 10 9	43 8 0	21,208 10 9	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" September	Deduct Costs returned	17,677 2 6	17,663 14 9	17,757 14 9	" September	Deduct Costs returned	24,412 13 6	154 8 0	24,412 13 6	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" October	Deduct Costs returned	10,559 13 3	10,558 13 0	10,619 13 0	" October	Deduct Costs returned	4,623 14 6	8 0 0	4,623 14 6	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" November	Deduct Costs returned	8,254 3 0	8,254 2 9	8,304 14 9	" November	Deduct Costs returned	18,573 3 9	104 0 0	18,573 3 9	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" December	Deduct Costs returned	0 0 0	11,824 8 6	11,899 4 6	" December	Deduct Costs returned	187 13 0	187 13 0	187 13 0	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
1864.				Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	1865.				Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" January	Deduct Costs returned	14,353 7 0	14,351 1 6	14,409 9 6	" January	Deduct Costs returned	14,867 14 0	185 12 0	14,867 14 0	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" February	Deduct Costs returned	15,297 7 3	15,297 7 0	15,414 11 0	" February	Deduct Costs returned	19,809 3 3	243 0 0	19,809 3 3	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" March	Deduct Costs returned	13,714 12 3	13,714 8 3	13,863 12 3	" March	Deduct Costs returned	22,043 9 0	51 12 0	22,043 9 0	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
" April	Deduct Costs returned	0 0 0	14,212 3 0	14,374 3 0	" April	Deduct Costs returned	19,562 4 9	105 8 0	19,562 4 9	On account of Fees received on the institution and prosecution of suits.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
Credit in Cash Accounts...				1,63,803 10 3	Credit in Cash Accounts...				2,12,533 8 9	Credit in Cash Accounts...				2,12,533 8 9	Credit in Cash Accounts...			
Deduct Costs returned as above shown				74 8 3	Deduct Costs returned as above shown				267 11 0	Deduct Costs returned as above shown				267 11 0	Deduct Costs returned as above shown			
				1,63,728 2 0					2,12,265 13 9					2,12,265 13 9				
				1,274 12 0					1,274 12 0					1,274 12 0				
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CALCUTTA: COURT OF SMALL CAUSES. The 1st June 1865. J. TUOMER, Clerk of the Court.

No. 8.

ABSTRACT STATEMENT of Sums recovered and paid to Plaintiffs on account of their Suits from 1st May 1864 to 30th April 1865.

Balance in hand		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
...		....	15,296 2 9		
To Cash received on Causes decreed in May 1864	...	23,324 10 4			
Ditto ditto	June	27,334 13 4			
Ditto ditto	July	31,417 2 0			
Ditto ditto	Aug.	35,980 11 0			
Ditto ditto	Sept.	35,166 8 5			
Ditto ditto	Oct.	7,880 13 10			
Ditto ditto	Nov.	28,490 14 9			
Ditto ditto	Dec.	34,005 2 4			
Ditto ditto	Jan. 1865	30,867 10 3			
Ditto ditto	Feb.	31,630 12 3			
Ditto ditto	Mar.	33,314 4 1			
Ditto ditto	April	28,880 11 10			
Rupees		....	3,48,294 2 5		
By Cash paid to Plaintiffs on Causes decided in May 1864					
Ditto ditto	June			22,210 2 9	
Ditto ditto	July			26,420 11 7	
Ditto ditto	Aug.			26,402 3 7	
Ditto ditto	Sept.			39,743 7 6	
Ditto ditto	Oct.			37,493 7 5	
Ditto ditto	Nov.			5,787 7 9	
Ditto ditto	Dec.			27,110 3 4	
Ditto ditto	Jan. 1865			34,319 15 4	
Ditto ditto	Feb.			26,554 10 8	
Ditto ditto	Mar.			35,232 5 0	
Ditto ditto	April			35,659 4 7	
Balances			3,48,294 2 5	.....	20,325 7 2
Rupees			3,63,590 5 2	.....	3,63,590 5 2

CALCUTTA ;
 COURT OF SMALL CAUSES,
 The 1st June 1865.

J. TUCKER,

Clerk of the Court.

No. 9.

TABLE shewing the nature of Causes heard and decided from 1st May 1864 to 30th April 1865.

MONTHS.	Goods sold and delivered.	Bills of Exchange and Promissory Notes.	Wages.	Work and Labor.	Money paid.	Money lent.	Money had and received.	Account stated.	Use and occupation.	On Judgments.	Guarantee.	Partnership Balance.	Other Actions on contract.	Trover.	Actions on the case.	Trespass.	Assault.	Replevin.	Interpleader.	Recovery of small Tenements.	Ejectment.	Against Executors and Administrators.	Covenant.	Total.
1864.	1,222 1,126 1,362 1,642 2,197 164 1,048 1,147	272 176 85 89 141 11 101 95	181 216 217 269 332 33 247 227	156 164 144 216 308 30 169 169	52 41 26 65 107 8 39 37	326 328 426 575 654 40 380 452	59 91 109 141 156 19 114 115	35 26 38 52 82 14 53 47	122 93 101 153 209 28 113 123	3 4 4 8 11 ... 4 6	4 4 10 5 9 2 2 3 12	28 5 11 11 11 4 7 8	283 334 380 435 478 55 274 317	63 53 59 84 101 13 70 75	48 46 37 42 48 4 34 34	6 7 3 2 1 1 5 3	75 75 81 85 107 11 71 44	1 ... 1	63 64 58 52 67 3 79 84	6 6 3 1 2 2 2 3	2 1 8 10 8 ... 7 9	3 1 1 1 4 ... 2 ...	1	3,011 2,863 3,169 3,946 5,036 441 2,822 3,005
1865.	852 1,324 1,477 1,057	79 113 100 73	170 215 200 192	133 173 221 188	16 51 51 30	306 518 448 319	92 108 144 86	31 60 56 51	89 115 112 81	5 6 4 6	6 3 5 4	1 8 6 9	214 337 358 298	53 70 82 53	35 56 40 30	1 2	57 71 86 66	... ... ... ...	63 38 91 52	1 1 6 ...	... 2 ... 4	... ... ... ...	2,210 3,275 3,498 2,603	
Total	14,618	1,335	2,498	2,071	625	4,772	1,240	545	1,348	61	72	107	3,763	771	452	31	833	3	714	32	70	18	1	35,879

CALCUTTA; }
COURT OF SMALL CAUSES,
The 1st June 1865.

J. TUCKER,

Clerk of the Court.

No. 10.

STATEMENT shewing the Statistics of the Distraint Department of the Court (under Act VII. of 1847) from 1st May 1864 to 30th April 1865.

MONTHS.	Distraints compromised before appraisement.	Sales.	Distraints set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distraints set aside after appraisement.	Total Number of Distraints for Rent.	Amount of Rent for which Distraints were made.	Commission and Fees deposited.	Commission and Fees credited to Government.	Subpoena and Notice Fees.	Total Amount credited to Government.	REMARKS.
1864.								Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
May ...	21	2	1	...	4	...	28	1,160 2 3	197 0 0	67 4 0	1 8 0	68 12 0	
June ...	23	3	...	...	4	...	37	1,639 13 3	455 12 0	71 4 0	6 0 0	77 4 0	
July ...	23	6	...	...	2	...	31	1,139 13 6	200 0 0	72 0 0	1 8 0	73 8 0	
August ...	10	6	...	...	...	...	18	809 6 0	133 4 0	41 0 0	2 8 0	43 8 0	
September ...	11	2	...	...	...	...	23	1,698 3 9	392 8 0	154 8 0	0 0 0	154 8 0	
October ...	4	2	...	...	1	...	8	365 4 0	67 4 0	8 0 0	0 0 0	8 0 0	
November ...	26	4	...	...	9	...	39	2,873 12 8	444 12 0	101 0 0	3 0 0	104 0 0	
December ...	9	4	...	...	3	...	16	989 10 0	155 0 0	184 8 0	2 8 0	187 0 0	
1865.													
January ...	28	...	...	...	...	...	41	6,211 4 5	556 12 0	155 12 0	0 0 0	155 12 0	
February ...	30	6	...	...	...	...	43	2,755 13 6	420 12 0	239 4 0	3 12 0	243 0 0	
March ...	19	4	...	...	...	...	27	1,265 7 3	310 8 0	51 12 0	0 0 0	51 12 0	
April ...	26	2	...	...	6	...	38	2,873 8 9	437 12 0	101 12 0	0 12 0	102 8 0	
Total ...	236	44	1	10	55	3	349	23,812 7 4	3,271 4 0	1,248 0 0	21 8 0	1,269 8 0	

Calcutta;
Court of Small Causes,
The 1st June 1865.

J. TUCKER,
Clerk of the Court.

STATEMENT shewing the Amount of Fines from 1st May 1864 to 30th April 1865.

YEARS.	MONTHS.								AMOUNT.
1864.									Rs. As. P.
	May	...	...	...	...	...	...	...	11 13 3
	June	...	...	...	...	...	...	...	.....
	July	...	...	...	...	...	...	...	4 13 3
	August	...	...	...	...	...	...	...	22 10 0
	September	...	...	...	...	...	...	...	177 8 0
	October	...	...	...	...	...	...	...	5 0 0
	November	...	...	...	...	...	...	...	6 0 0
	December	...	...	...	...	...	...	...	73 0 0
1865.	January	...	...	...	...	...	...	...	2 0 0
	February	...	...	...	...	...	...	...	5 0 0
	March	...	...	...	...	...	...	...	35 0 0
	April	...	...	...	...	...	...	...	3 0 0
	Total							...	345 12 6

CALCUTTA;
 COURT OF SMALL CAUSES,
 The 1st June 1865.

J. TUCKER,
 Clerk of the Court.

STATEMENT shewing the Salaries of the Judges, Cost of the Establishment, and House Rent, from 1st May 1864 to 30th April 1865.

MONTHS.	Salaries of the Judges.	Establishment Charges.	House Rent.	Total.
1864.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
May	3,500 0 0	5,009 9 10	500 0 0	9,009 9 10
June	4,216 10 8	5,011 3 7	500 0 0	9,727 14 3
July	5,750 0 0	5,335 6 8	500 0 0	11,585 6 8
August	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
September	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
October	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
November	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
December	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
1865.				
January	5,750 0 0	5,371 3 7	1,500 0 0	12,621 3 7
February	5,750 0 0	5,362 10 11	500 0 0	11,612 10 11
March	<div>641 10 8</div> <div>5,750 0 0</div>	5,373 8 7	500 0 0	12,265 3 3
April	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
Total	65,858 5 4	63,691 0 8	7,000 0 0	1,36,549 6 0

CALCUTTA;
COURT OF SMALL CAUSES,
The 1st June 1865.

J. TUCKER,
Clerk of the Court.

No. 13.

STATEMENT shewing the amount of Costs remitted and unrecovered from 1st May 1864 to 30th April 1865.

MONTHS.	Pauper Suits.	Costs remitted.	Costs of Attachment ordered but not applied for.	Fees for second Summons ordered but not applied for.	Fees for contempt Processes ordered against Witnesses but not applied for.	Total.	REMARKS.
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
1864.							
May	739 9 6	69 1 0	1 8 0	20 2 0	0 4 0	830 8 6	
June	686 14 9	7 12 0	7 10 0	15 4 0	2 10 0	720 2 9	
July	1,005 10 3	129 10 9	17 0 0	19 0 0	0 0 0	1,171 5 0	
August	1,026 9 6	117 13 9	49 8 0	37 9 9	2 0 0	1,233 9 0	
September	1,002 10 3	147 12 6	7 10 0	19 6 0	0 6 0	1,177 12 9	
October	89 15 3	0 0 0	0 0 0	5 2 0	0 0 0	95 1 3	
November	1,878 0 9	244 12 3	8 8 0	20 7 0	0 10 0	2,152 6 0	
December	1,013 10 3	145 13 9	3 14 0	17 10 0	0 4 0	1,181 4 0	
1865.							
January	972 13 3	117 13 6	0 0 0	26 6 0	0 0 0	1,117 0 9	
February	819 11 6	166 2 3	0 0 0	63 9 0	1 14 0	1,051 4 9	
March	1,450 3 0	58 15 9	1 6 0	26 10 0	1 0 0	1,538 2 9	
April	1,711 6 7	98 11 0	17 0 6	16 2 0	0 2 0	1,843 6 1	
Total	12,397 2 10	1,304 6 6	114 0 6	287 3 9	9 2 0	14,111 15 7	

CALCUTTA;
COURT OF SMALL CAUSES,
The 1st June 1865.

J. TUCKER,
Clerk of the Court.

No. 14.

• STATEMENT shewing the net Amount credited to Government in the Cash Accounts from 1st May 1864 to 30th April 1865.

MONTHS.				Fines.	Unclaimed Suitors' Money.	Savings from Salaries, and sale of old Records, &c.	Total Amount credited.
1864.				Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
* May ...	...	...	...	11 13. 3	123 10 3	0 0 0	16,624 2 9
June ...	...	...	...	0 0 0	294 10 4	0 0 0	15,793 14 7
July ...	...	...	...	4 13 3	337 11 9	0 0 0	15,784 1 9
August ...	...	...	...	22 10 0	354 0 3	0 0 0	21,834 12 9
September ...	...	...	...	177 3 0	465 0 3	0 0 0	25,170 11 6
October ...	...	...	...	5 0 0	266 8 9	0 0 0	4,903 7 3
November ...	...	...	...	6 0 0	319 14 0	87 10 0	19,026 9 6
December ...	...	...	...	73 0 0	153 9 0	0 0 0	17,763 4 0
1865.							
January ...	...	...	...	2 0 0	0 0 0	0 0 0	15,023 10 0
February ...	...	...	...	5 0 0	0 0 0	0 0 0	19,607 3 3
March ...	...	...	...	35 0 0	0 0 0	0 0 0	22,129 4 9
April ...	...	...	...	3 0 0	1,297 0 7	0 0 0	20,809 11 4
Total ...	...	...	...	345 12 6	3,517 1 2	87 10 0	2,17,475 13 5

CALCUTTA;

COURT OF SMALL CAUSES,

The 1st June 1865.

J. TUCKER,

Clerk of the Court.

STATEMENT shewing the Amount of Rent of the Building occupied by the Court estimated but not incurred from 1st May 1864 to 30th April 1865, prepared in conformity with Mr. Under-Secretary Bell's letter No. 45A., dated 16th February 1861.

MONTHS.					Rent of Court House estimated but not incurred.	REMARKS.
1864.					Rupees.	
May	...	...	...	...	500	
June	...	...	...	...	500	
July	...	...	...	...	500	
August	...	...	...	...	500	
September	...	...	...	...	500	
October	...	...	...	...	500	
November	...	...	...	...	500	
December	...	...	...	...	500	
1865.						
January	...	...	...	...	500	
February	...	...	...	...	500	
March	...	...	...	...	500	
April	...	...	...	...	500	
Total ...					6,000	

CALCUTTA ;
COURT OF SMALL CAUSES, }
The 1st June 1865.

J. TUCKER,

Clerk of the Court.

STATEMENT of Indigent Debtors relieved from 1st May 1864 to 30th April 1865, prepared in conformity with Mr. Secretary Eden's letter No. 870T., dated 1st October 1863.

Month and Date.	Names of Parties relieved.					Amount paid.
1864.						Rs. As. P.
12th May	J. Burnett	...	...	...	...	47 0 0
21st June	Mrs. H. F. Sandys	...	...	...	...	13 0 0
1st July	Miss C. Burner	...	...	...	...	30 10 0
5th Ditto	M. S. Jones	...	...	...	...	40 14 3
8th Ditto	Mrs. C. Smart	...	...	...	...	2 0 0
9th Ditto	H. Cox	...	...	...	...	50 0 0
4th August	A. Millett	...	...	...	...	41 4 6
5th Ditto	Mrs. M. Field	...	...	...	...	32 8 0
Ditto	„ M. Field	...	...	...	...	18 8 0
8th Ditto	W. T. McLean	...	...	...	...	59 3 0
15th Ditto	Mrs. E. Smart	...	...	...	...	26 0 6
3rd September ...	A. McLeod	...	...	...	...	20 8 0
7th Ditto	C. Barker	...	...	...	...	6 6 3
15th Ditto	W. T. McLean	...	...	...	...	6 0 0
Ditto	C. McLean	...	...	...	...	5 0 0
23rd Ditto	Shahajuddy Bebee	...	...	...	...	6 0 0
26th October	C. S. McLean	...	...	...	...	11 0 0
27th Ditto	Ellen Ball	...	...	...	...	3 0 0
10th November ...	Mrs. M. Field	...	...	...	...	31 9 6
16th Ditto	J. McLean	...	...	...	...	25 0 0
19th Ditto	Mrs. R. E. W. Barker	...	...	...	...	30 11 0
5th December ...	„ Carbery	...	...	...	...	48 12 6
9th Ditto	„ C. Barker	...	...	...	...	6 15 6
21st Ditto	George Williams	...	...	...	...	10 4 0
1865.						
6th March	Thomas Commuskey	...	...	...	...	20 0 0
29th April	Mrs. C. Barker	...	...	...	...	40 0 0
Total Rupees					...	632 3 9

CALCUTTA ;
COURT OF SMALL CAUSES,
The 1st June 1865.

}

J. TUCKER,

Clerk of the Court.

No. 17.

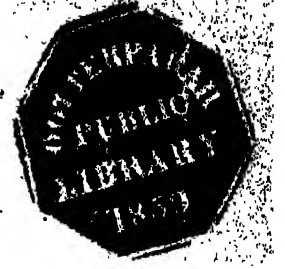
STATEMENT of the number of *Ex parte* Cases disposed of by the Judges of the Calcutta Court of Small Causes from May 1864 to April 1865.

	1864.								1865.				TOTAL.
	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	
First Judge	128	131	102	65	69	17	44	37	39	70	67	65	834
Second Judge	165	181	169	191	305	18	145	179	112	191	165	70	1891
Third Judge	200	194	129	196	243	14	137	136	107	173	168	149	1846
Fourth Judge .. ..	...	...	125	244	273	20	176	175	87	144	193	150	1618
Total	493	506	525	696	890	70	562	527	345	579	593	464	6199

CALCUTTA;
 COURT OF SMALL CAUSES,
 The 1st June 1865.

J. TUCKER,
 Clerk of the Court.

REPORT



OF THE

CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1865-66.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT OFFICE.

1866.

LIST OF TABLES AND STATEMENTS.

- No. 1. Part 1st.—Abstract Statement of the Statistics of the Court.
- No. 1. Part 2nd.—Ditto ditto ditto.
- No. 2.—Comparative Table of Causes set down for hearing, shewing how they were disposed of.
- No. 3.—Table shewing the value of Suits instituted.
- No. 4.—Table shewing the amount of Commission and Fees received on Suits of different value.
- No. 5.—Statement shewing the number of Cases remaining undecided.
- No. 6.—Abstract Statement of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon.
- No. 7.—Comparative Statement of Commission and Fees realized and credited in the Cash Accounts in 1864-65 and in 1865-66.
- No. 8. Abstract Statement of sums recovered and paid to Plaintiffs on account of their Suits.
- No. 9.—Table shewing the nature of Causes heard and decided.
- No. 10.—Statement shewing the Statistics of the Distrain Department of the Court (under Act VII. of 1847.)
- No. 11.—Statement shewing the amount of Fines levied.
- No. 12.—Statement shewing the Salaries of the Judges, cost of the Establishment, and House Rent.
- No. 13.—Statement shewing the amount of Costs remitted and unrecovered.
- No. 14.—Statement shewing the net amount credited to the Government in the Cash Accounts.
- No. 15.—Statement shewing the amount of Rent of the Building occupied by the Court estimated but not incurred.
- No. 16.—Statement of Indigent Debtors relieved.
- No. 17. Statement of the number of Exparte Cases disposed of by the Judges.
- No. 18.—Comparative Table.

FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES.

To

THE HON'BLE A. EDEN,

Secretary to the Government of Bengal.

Dated the 4th June 1866.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the Sixteenth Annual Report of the business of this Court for the year 1865-66 ending 30th April last.

2. The number of cases instituted in this Court during the year was 87,324, being an increase of 1,376 cases over the number instituted during the previous year. The average of cases for each day was 141.9.

3. The receipts on account of fees, &c., during the year amounted to Rupees 2,30,879-7-2, and the cost of the Establishment, including salaries of the Judges and House Rent, was Rupees 1,42,868-1-4, leaving a balance of Rupees 88,011-5-10 to credit of the Court.

4. Of the cases instituted during the year, 37,324, which were set down for hearing, 16,188 were decided in favor of the plaintiffs, (of which 6,362 were tried *ex parte*,) 1,813 were dismissed, 3,520 were nonsuited, 12,402 were compromised, 8,480 were struck off on default of parties, and 171 were pending at the close of the year.

5. The institutions during the year include 30 cases of above 1,000 Rupees. In six of these, amounts ranging from Rupees 300 to Rupees 700 were abandoned by the parties; and in the remaining 24 cases sums less than Rupees 300 were abandoned. The fact of plaintiffs relinquishing such large sums as from Rupees 300 to Rupees 700 in order to make their cases cognizable by this Court may, we think, be not unfairly ascribed to the satisfaction which the speedy procedure of this Court inspires.

We have the honor to be,

SIR,

Your most obedient Servants,

G. S. FAGAN,

N. H. THOMSON,

HURU CHUNDER GHOSE,

E. DACOSTA,

Judges of the Calcutta Court of Small Causes.

No. 2.

COMPARATIVE TABLE of Causes set down for hearing from the 1st May 1864 to 30th April 1865, and from 1st May 1865 to 30th April 1866, showing how they were disposed of.

	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	TOTAL.
	1864 1865	1864 1865	1864 1865	1864 1865	1864 1865	1864 1865	1864 1865	1864 1865	1865 1866	1865 1866	1865 1866	1865 1866	1865 1866
Judgment for Plaintiffs...	1301 1405	1224 1322	1313 1577	1715 1580	2086 1503	211 411	1226 1425	1302 1212	581 1239	1490 1490	1463 1535	1154 1490	15328 16138
Judgment for Defendants	197 188	144 185	164 225	165 287	160 287	28 48	151 130	179 110	143 102	190 163	197 143	131 194	2053 1813
Non-suited and struck out	496 620	587 550	626 664	717 685	580 862	123 183	595 749	543 493	507 560	593 593	641 598	560 739	6950 7000
Compromised	1017 1036	908 1105	1036 1262	1302 1387	1801 1187	79 253	850 1111	981 902	679 785	1072 1098	1197 1167	758 1059	11680 12403
Undecided—postponed after being called on for hearing—													
In 1864-65.—153													
In 1865-66.—171													
Total, ...	3011 3308	2903 3162	3169 3738	3946 3817	5086 9430	441 896	2822 3415	3005 2717	2210 2695	3275 3252	3408 3443	3603 3491	35279 37353

CALCUTTA;

COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,

Offg. Clerk of the Court.

TABLE shewing the Value of Suits instituted from the 1st May 1865 to 30th April 1866.

MONTHS.	Under Rs. 10.	Above Rs. 10 and under Rs. 20.	Above Rs. 20 and under Rs. 50.	Above Rs. 50 and under Rs. 100.	Above Rs. 100 and under Rs. 200.	Above Rs. 200 and under Rs. 300.	Above Rs. 300 and under Rs. 400.	Above Rs. 400 and under Rs. 500.	Above Rs. 500 and under Rs. 600.	Above Rs. 600 and under Rs. 700.	Above Rs. 700 and under Rs. 800.	Above Rs. 800 and under Rs. 900.	Above Rs. 900 and under Rs. 1,000.	Total.
1865.														
May	1,971	485	289	215	100	67	63	46	23	19	26	20	16	3,342
June	1,929	534	317	226	180	70	49	41	18	16	15	10	7	3,414
July	2,117	561	283	209	93	50	42	36	14	20	21	19	16	3,438
August... ..	2,554	678	350	219	114	89	44	34	20	21	21	20	24	4,188
September	1,127	535	319	186	108	40	25	13	6	4	7	1	3	2,378
October... ..	970	277	178	123	59	32	11	6	8	5	5	1	2	1,678
November	1,885	645	450	225	134	68	21	15	10	12	1	5	5	3,477
December	887	436	389	168	105	41	26	16	3	5	5	5	6	2,094
1866.														
January	1,708	620	412	172	143	49	40	29	7	13	7	10	6	3,223
February	1,860	439	355	278	187	57	43	21	11	10	9	10	9	3,293
March	2,025	522	384	215	162	72	37	22	11	17	13	10	12	3,592
April	1,735	551	354	250	178	58	46	23	9	16	9	11	9	3,253
Total,	20,768	6,231	4,080	2,486	1,563	693	447	302	140	158	139	123	115	37,224

H. RYPER,
Offg. Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

TABLE shewing the Amount of Commission and Fees received on Suits of different value from 1st May 1865 to 30th April 1866.

MONTHS	On Suits under the Rupees											Total
	20.	50.	100.	200.	300.	400.	500.	600.	700.	800.	1,000.	
	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.
1865.												
May	2,159 12 6	1,114 11 6	1,559 13 0	2,430 6 9	2,213 8 0	2,019 11 0	2,963 11 9	2,683 4 0	1,394 0 0	1,576 10 3	1,774 8 3	25,348 9 6
June	2,431 8 9	1,380 8 9	1,753 13 3	3,435 8 9	3,434 8 9	2,335 14 3	2,905 8 2	1,178 5 0	1,163 10 9	1,317 0 0	881 16 0	25,444 9 0
July	2,155 0 3	1,368 4 0	1,531 7 3	2,171 11 0	1,983 13 9	1,549 6 3	1,900 2 5	2,106 0 2	1,452 6 9	1,734 6 9	1,899 8 2	21,304 7 3
August	2,749 6 0	1,491 10 6	1,924 2 6	2,228 1 0	2,334 15 8	2,408 5 0	1,999 3 0	1,344 13 6	1,532 6 2	1,715 5 9	1,737 9 6	25,945 3 3
September	914 13 3	1,253 7 0	2,052 13 6	1,947 10 3	1,907 2 3	1,298 6 9	1,903 6 3	405 6 3	303 4 9	528 15 0	91 2 2	15,418 10 3
October	1,061 5 3	879 0 3	1,153 8 0	1,279 7 0	1,130 4 6	1,053 14 0	334 4 0	453 9 0	373 5 2	408 8 3	89 7 0	8,886 15 9
November	1,763 5 9	1,611 7 9	2,986 1 0	2,337 9 6	2,464 10 0	2,184 15 0	854 13 3	755 14 0	831 6 9	83 7 6	445 13 0	17,346 11 3
December	808 13 6	971 13 6	1,020 15 0	1,534 7 6	1,924 12 6	1,251 14 6	1,199 1 0	300 12 0	360 9 0	404 8 2	431 8 3	12,208 15 0
1866.												
January	2,128 11 3	1,063 1 0	2,564 13 3	1,833 4 6	2,658 1 0	1,576 2 3	1,818 4 2	1,761 9 0	938 19 6	564 11 2	386 5 6	20,328 4 2
February	1,928 11 6	1,050 12 2	2,143 1 0	2,770 13 9	3,547 8 0	1,853 4 6	2,016 6 6	1,945 0 3	749 11 2	724 14 9	827 2 9	20,063 8 2
March	2,045 4 6	1,312 4 3	2,437 6 3	2,083 11 9	3,930 8 5	2,360 4 9	1,087 4 6	1,297 13 2	1,356 1 9	1,043 14 3	871 7 3	21,413 19 3
April	3,711 6 6	1,469 1 2	2,370 11 6	2,491 13 6	3,868 16 2	1,899 9 6	2,915 9 6	1,380 14 6	1,311 5 6	735 11 9	909 0 0	20,466 12 9
Total	21,809 2 6	16,127 2 6	24,038 7 0	38,539 8 9	29,886 12 0	21,794 11 9	30,467 8 0	17,766 0 3	11,668 0 9	11,073 1 0	19,668 4 0	232,371 3 9

Checked by Sir J. C. ...
The 24th June 1866.

H. RYPER,
Clerk of the Court.

No. 5.

STATEMENT shewing the Number of Cases remaining undecided on the 30th April 1866.

	NUMBER OF CASES POSTPONED.							REMARKS.
	For Summons.	For Witnesses.	For Attachments.	At the request of Parties to the Suit.	Referred to Arbitration.	By order of the Court.	Total.	
1st Judge	13	20	1	12	15	22	83	
2nd Ditto	15	8	.....	18	3	6	50	
3rd Ditto	5	2	.....	3	9	2	21	
4th Ditto ... ..	.....	3	.....	1	7	6	17	
Total,	83	33	1	34	34	36	171	

CALCUTTA;
 COURT OF SMALL CAUSES,
 The 4th June 1866.

H. RYPER,
 Offg. Clerk of the Court.

No. 6.

ABSTRACT STATEMENT of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon, from 1st May 1865 to 30th April 1866.

MONTHS.	Judgments for Plaintiffs.	Judgments for Defendants.	Struck out.	Nonsuited.	Compromised.	Total Number of Cases disposed of.	Undecided.	Total Number of Cases instituted.	Commission and Fees leviable.
1865.									
May	1,405	188	860	269	1,086	3,308	.....	3,343	28,237 15 8
June	1,322	185	271	279	1,105	3,162	.....	3,414	23,479 15 9
July	1,677	225	334	330	1,292	3,728	.....	3,483	22,891 15 9
August	1,580	165	827	358	1,387	3,817	.....	4,188	24,310 10 9
September	1,503	160	254	326	1,187	3,430	.....	2,378	20,089 13 9
October	411	48	108	75	253	895	.....	1,678	5,405 6 0
November	1,425	180	424	325	1,111	3,415	.....	3,477	18,785 3 9
December	1,212	110	262	231	902	2,717	.....	2,094	16,648 15 6
1866.									
January	1,239	102	385	234	785	2,695	.....	3,323	17,389 0 0
February	1,430	163	242	319	1,098	3,252	.....	3,292	21,408 13 0
March	1,535	143	267	331	1,167	3,448	.....	3,502	21,702 11 11
April	1,499	194	296	443	1,059	3,491	171	3,253	24,261 11 0
Total,	10,138	1,813	3,480	3,520	12,402	37,353	171	37,324	239,517 4 9
Amount leviable									
ADD—Transferred Costs of 30th April 1865 not included in this Statement									
Deduct—Costs remitted from May 1865 to April 1866 as per Statement No. 13									
Transferred Costs of 30th April 1866 included in this Statement, but transferred on 2nd May 1866									
12,205 10 5									
1,461 12 3									
14,527 6 8									
Credited in Cash Accounts									
Deduct debited in ditto as Costs returned									
As per Statement No. 7									
2,246 7 4									
152 3 9									
2,246 23 5									

CABOTUS &
COURT OF SMALL CAUSES,

H. BYPER,

Of the Clerk of the Court

COMPARATIVE STATEMENT of Commission and Fees realized and credited in the Cash Accounts in 1864-65 and in 1865-66.

MONTHS.	1864-65.			MONTHS.			1865-66.			REMARKS.			
	On account of Fees received on the in- stitution and pro- secution of Suits.	On account of Dis- tress for rent.	Total.		Total.		On account of Fees received on the in- stitution and pro- secution of Suits.	On account of Dis- tress for rent.	Total.				
1864.	Ra. As. P.	Ra. As. P.	Ra. As. P.	1865.	Ra. As. P.	Ra. As. P.	Ra. As. P.	1866.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Total Increase of Fees in 1865-66.	Total Decrease of Fees in 1866-67.
In May ... Deduct Costs returned ...	16,424 14 3 4 15 0	68 12 0	16,488 11 3	In May ... Deduct Costs returned ...	22,553 1 3 4 4 0	22,553 15 3	2,388 8 0	22,841 7 3	22,841 7 3	6,362 12 6	0 0 0		
" June ... Deduct Costs returned ...	15,404 12 3 42 12 0	77 4 0	15,499 4 3	" June ... Deduct Costs returned ...	21,619 1 6 51 1 0	21,670 2 6	155 12 0	21,825 3 6	21,825 3 6	6,254 7 0	0 0 0		
" July ... Deduct Costs returned ...	18,382 10 9 4 10 0	73 8 0	18,451 8 9	" July ... Deduct Costs returned ...	0 0 0	22,461 14 0	3,291 0 0	22,742 14 0	22,742 14 0	4,201 6 3	0 0 0		
" August ... Deduct Costs returned ...	21,506 10 9 94 6 3	48 8 0	21,458 2 6	" August ... Deduct Costs returned ...	22,389 2 0 0 3 3	22,389 15 9	139 12 0	22,528 11 9	22,528 11 9	1,070 9 3	0 0 0		
" September ... Deduct Costs returned ...	24,413 12 6 59 1 3	154 8 0	24,339 3 3	" September ... Deduct Costs returned ...	19,013 1 9 9 10 6	19,003 7 3	56 8 0	19,059 15 3	19,059 15 3	0 0 0	4,463 4 0		
" October ... Deduct Costs returned ...	0 0 0	8 0 0	4,651 14 6	" October ... Deduct Costs returned ...	5,495 3 0 78 13 0	5,419 4 0	73 0 0	5,491 4 0	5,491 4 0	839 5 6	0 0 0		
" November ... Deduct Costs returned ...	13,573 3 9 64 2 3	104 0 0	13,613 1 6	" November ... Deduct Costs returned ...	17,950 3 6 0 6 3	17,950 3 3	161 4 0	18,111 7 3	18,111 7 3	0 0 0	591 10 3		
" December ... Deduct Costs returned ...	0 0 0	1,187 0 0	17,330 11 0	" December ... Deduct Costs returned ...	0 0 0	15,299 0 0	221 0 0	15,490 0 0	15,490 0 0	0 0 0	2,036 11 6		
1865.				1866.									
January ... Deduct Costs returned ...	14,567 14 0 3 0 0	155 12 0	15,021 10 0	January ... Deduct Costs returned ...	0 0 0	16,471 13 6	839 12 0	16,781 9 6	16,781 9 6	1,709 15 6	0 0 0		
" February ... Deduct Costs returned ...	10,369 3 3 10 0 0	243 0 0	10,609 3 3	" February ... Deduct Costs returned ...	10,807 13 9 0 1 3	10,807 13 9	201 4 0	20,009 0 6	20,009 0 6	403 12 3	0 0 0		
" March ... Deduct Costs returned ...	22,043 8 9 0 0 0	51 13 0	22,094 4 9	" March ... Deduct Costs returned ...	0 0 0	20,619 11 0	101 0 0	20,720 11 0	20,720 11 0	6 9 0	1,373 9 6		
" April ... Deduct Costs returned ...	19,408 4 0 8 2 0	103 8 0	19,599 10 9	" April ... Deduct Costs returned ...	25,044 8 9 15 2 9	25,039 5 6	296 0 0	25,334 5 6	25,334 5 6	3,794 10 9	0 0 0		
Credited in Cash Accounts ... Deduct Costs returned as above shown ...	2,112 5 9 267 11 0			Credited in Cash Accounts ... Deduct Costs returned as above shown ...	2,26,674 9 6 153 3 9								
	2,112 5 9	1,209 8 0	2,112 5 9		2,26,827 5 9		2,512 12 0	2,26,335 1 9	2,26,335 1 9	94,400 15 0	9,400 3 0		
							Deduct Decrease						
							Net Increase						
													Or an increase of more than 7 per cent. over the receipts of last year.

GALETTA & CO. COURT OF MAAZIL CHAMBERS, 7th Feb 1866. H. RYPER, Offg. Clerk of the Court.

No. 8.

ABSTRACT STATEMENT of Sums recovered and paid to Plaintiffs on account of their Suits from 1st May 1865 to 30th April 1866.

		Rs. As. P.		Rs. As. P.		Rs. As. P.		Rs. As. P.	
Balance on hand ...		.....		20,325 7 2					
To Cash received on Causes decreed in May 1865		30,009 15 5							
Ditto	ditto	June "	21,654 11 8	Ditto	ditto	June "	21,429 2 4		
Ditto	ditto	July "	29,880 4 6	Ditto	ditto	July "	28,747 8 10		
Ditto	ditto	Aug. "	35,333 3 4	Ditto	ditto	Aug. "	36,137 12 5		
Ditto	ditto	Sept. "	35,084 4 0	Ditto	ditto	Sept. "	33,013 1 8		
Ditto	ditto	Oct. "	9,315 11 3	Ditto	ditto	Oct. "	9,657 8 5		
Ditto	ditto	Nov. "	38,648 0 10	Ditto	ditto	Nov. "	33,634 14 2		
Ditto	ditto	Dec. "	19,928 8 7	Ditto	ditto	Dec. "	23,403 1 3		
Ditto	ditto	Jan. 1866	17,999 6 6	Ditto	ditto	Jan. 1866	14,497 2 11		
Ditto	ditto	Feb. "	25,608 3 0	Ditto	ditto	Feb. "	25,561 15 1		
Ditto	ditto	Mar. "	27,822 4 6	Ditto	ditto	Mar. "	29,229 5 3		
Ditto	ditto	April "	28,293 13 5½	Ditto	ditto	April "	29,235 8 5½		
				3,14,584 7 0½		Balance ...		3,17,521 12 10½	
Rupees ...		... ..		3,31,909 14 2½		Rupees ...		17,388 1 4	
								3,34,909 14 2½	

H. RYPER,
Offg. Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

TABLE shewing the nature of Causes heard and decided from 1st May 1865 to 30th April 1866.

MONTHS.	1865.															TOTAL.
	May	June	July	August	September	October	November	December	January	February	March	April	May	June	July	
Goods sold and delivered.	1,321	1,308	1,541	1,616	1,425	345	1,324	1,086	1,076	1,285	1,460	1,418	15,205	1,474	2,563	2,138
Bills of Exchange and Promissory Notes.	103	139	140	126	97	54	171	161	110	105	141	127	1,474	2,563	2,138	430
Wages.	233	198	249	243	228	88	263	168	193	227	221	252	2,563	2,138	430	4,423
Work and Labor.	223	172	224	219	216	43	207	130	143	165	170	226	2,138	430	4,423	1,402
Money paid.	40	32	41	33	30	8	39	40	34	47	37	49	1,402	1,402	1,402	307
Money lent.	435	406	470	445	434	103	406	278	285	346	397	418	4,423	1,402	1,402	307
Money had and received.	122	118	156	145	145	40	129	68	97	126	147	121	1,402	1,402	1,402	307
Account stated.	53	63	66	71	59	14	41	50	47	54	37	52	1,560	1,560	1,560	55
Use and occupation.	146	107	145	157	133	80	140	152	90	157	148	155	1,560	1,560	1,560	55
On Judgment.	5	5	11	4	8	1	2	5	2	2	3	9	55	55	55	93
Guarantee.	6	9	9	9	8	1	5	7	8	11	4	10	87	87	87	93
Partnership Balance.	7	14	10	11	5	11	11	4	5	4	12	10	93	93	93	424
Other actions on contract.	405	324	387	479	417	84	417	383	378	506	449	379	4,608	733	424	1,830
Trover.	70	66	74	58	67	22	65	50	61	67	59	74	733	424	1,830	930
Actions on the case.	26	45	60	34	34	16	46	31	35	28	32	37	424	1,830	930	1,830
Trespass to property.	1	1	1	1	1	1	1	1	2	2	2	2	9	9	9	1,830
Assault.	78	76	76	90	67	34	84	47	78	62	51	92	1,830	930	1,830	1,830
Replevin.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1,830
Interpleader claims.	36	65	55	54	52	8	56	50	45	57	64	53	1,595	1,595	1,595	20
Recovery of small Tenements.	1	4	1	2	2	2	2	2	1	1	1	1	20	20	20	8
Ejectment.	3	10	11	18	19	8	6	3	4	3	4	4	88	88	88	8
Against Executors and Administrators.	1	1	1	1	1	1	1	1	1	1	1	1	8	8	8	8
Covenant.	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1	1
TOTAL.	3,308	3,162	3,728	3,817	3,430	885	3,415	2,717	2,605	3,252	3,443	3,491	37,353	37,353	37,353	37,353

H. BYPER,
Offg. Clerk of the Court.

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

STATEMENT shewing the Statistics of the District Department of the Court (under Act VII. of 1847) from 1st May 1865 to 30th April 1866.

MONTHS.	Distress compromised before appraisement.	Sales.	Distress set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distress set aside after appraisement.	Total number of Distresses for Rent.	Amount of Rent for which Distresses were made.	Commission and Fees deposited.	Commission and Fees credited to Government.	Subpena and Notice Fees.	Total Amount credited to Government.	REMARKS.
1865.													
May	19	9	...	...	4	...	32	3,133 8 3	461 4 0	287 0 0	1 8 0	288 8 0	
June	14	5	...	...	3	...	24	1,502 0 5	236 4 0	152 12 0	3 0 0	155 12 0	
July	16	1	...	1	4	...	23	2,108 10 0	321 12 0	270 8 0	10 8 0	281 0 0	
August	23	9	...	2	9	...	43	2,783 11 3	364 8 0	139 12 0	...	139 12 0	
September	6	3	...	...	...	...	9	499 10 3	81 4 0	54 4 0	...	56 8 0	
October	15	2	...	1	6	...	24	1,388 9 6	218 8 0	69 0 0	2 4 0	72 0 0	
November	35	5	...	1	3	...	44	3,350 9 0	512 12 0	161 0 0	3 0 0	161 4 0	
December	14	3	...	...	1	...	18	2,556 0 0	369 12 0	221 0 0	0 4 0	221 0 0	
1866.													
January	32	9	...	5	7	...	53	5,758 6 0	826 8 0	339 12 0	...	339 12 0	
February	24	4	...	...	8	...	36	2,893 14 6	365 4 0	201 4 0	...	201 4 0	
March	23	3	...	...	4	...	30	2,231 7 3	346 12 0	98 0 0	...	101 0 0	
April	28	7	...	...	6	...	41	1,881 4 3	442 8 0	294 4 0	0 12 0	295 0 0	
Total,	249	60	1	11	55	1	377	29,587 5 8	4,547 0 0	2,268 8 0	24 4 0	2,312 12 0	

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER.

Offg. Clerk of the Court.

No. 11.

STATEMENT shewing the Amount of Fines from 1st May 1865 to 30th April 1866.

YEARS.		MONTHS.					AMOUNT.
							Rs. As. P.
1865	...	May	...	...	...	...	1 8 0
		June	...	...	...	...	3 8 0
		July	...	...	...	...	37 12 0
		August	...	...	...	...	.....
		September	...	...	...	...	21 0 0
		October	...	...	...	...	27 0 0
		November	...	...	...	...	12 8 0
		December	...	...	...	...	1 0 0
1866	...	January	...	...	...	...	.....
		February	...	...	...	...	3 0 0
		March	...	...	...	...	5 4 0
		April	...	...	...	...	2 0 0
		Total, Rupees					114 8 0

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,
Offg. Clerk of the Court.

STATEMENT showing the Salaries of the Judges, Cost of the Establishment, and House Rent from 1st May 1865 to 30th April 1866.

MONTHS.	Salaries of the Judges.	Establishment Charges.	House Rent.	TOTAL.
1865.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
May	5,750 0 0	5,066 6 1	500 0 0	11,316 6 1
June	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
July	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
August	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
September	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
October... ..	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
November	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
December	5,750 0 0	5,371 3 7	500 0 0	11,621 3 7
1866.				
January... ..	5,750 0 0	5,692 14 7	500 0 0	11,942 14 7
February... ..	5,750 0 0	6,293 13 7	1,000 0 0	13,043 13 7
March	5,750 0 0	6,014 6 8	1,000 0 0	12,764 6 8
April	5,750 0 0	5,701 15 4	1,000 0 0	12,451 15 4
Total, ...	69,000 0 0	66,368 1 4	7,500 0 0	1,42,868 1 4

CALCUTTA ;
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,
Offy. Clerk of the Court.

No. 13.

STATEMENT showing the Amount of Costs remitted and unrecovered from 1st May 1865 to 30th April 1866.

MONTHS.		Pauper Suits.	Costs remitted.	Costs of Attach- ments ordered but not applied for.	Fees for second Summonses or- dered but not applied for.	Fees for contempt Processes order- ed against Wit- nesses but not applied for.	Total.	REMARKS.
1865.		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
In May	...	713 7 6	113 7 3	1 0 0	0 2 0	35 10 9	863 11 6	
" June	...	1,783 3 6	207 9 6	0 8 0	24 2 0	18 0 0	2,033 7 0	
" July	...	781 3 9	185 5 6	0 0 0	53 0 0	0 8 0	1,020 1 3	
" August	...	997 13 9	156 11 0	0 8 0	38 8 0	0 12 0	1,184 4 9	
" September	...	630 6 6	68 1 3	0 12 0	10 0 0	0 4 0	769 7 9	
" October	...	127 14 6	71 3 9	0 0 0	5 12 0	0 0 0	204 14 3	
" November	...	900 11 0	89 15 9	0 10 0	52 14 0	0 0 0	1,044 2 9	
" December	...	1,031 8 0	17 0 0	0 0 0	45 0 0	0 2 0	1,093 10 0	
1866.								
In January	...	1,127 6 3	5 3 0	1 0 0	43 10 0	0 0 0	1,177 3 3	
" February	...	1,138 14 6	75 10 0	14 4 0	17 6 0	0 2 0	1,246 4 6	
" March	...	858 14 5	103 2 3	0 0 0	11 10 0	0 0 0	973 10 8	
" April	...	654 9 6	57 7 3	2 4 0	10 12 0	29 12 0	754 12 9	
Total,		10,796 1 2	1,150 12 6	20 14 0	312 12 0	85 2 9	12,365 10 5	

CALCUTTA:
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,
Offg. Clerk of the Court.

No. 14.

• STATEMENT shewing the net Amount credited to Government in the Cash Accounts from 1st May 1865 to 30th April 1866.

MONTHS.				Commission and Fees.	Fines.	Unclaimed Suitors' Money.	Savings from Salaries, sale of old Records, &c.	Total amount credited.
1865.								
May	..	..	..	22,841 7 3	1 8 0	73 10 8	0 0 0	22,916 9 11
June	..	..	..	21,723 11 9	3 8 0	170 12 0	0 0 0	21,897 15 9
July	..	..	..	22,742 14 0	37 12 0	223 1 0	0 0 0	23,002 11 0
August	..	..	..	22,528 11 9	0 0 0	282 3 8	0 0 0	22,810 15 0
September	..	..	..	19,059 15 3	21 0 0	0 0 0	0 0 0	19,080 15 3
October	..	..	..	5,491 4 0	27 0 0	485 0 9	144 0 0	6,147 4 9
November	..	..	..	18,111 7 3	12 8 0	265 14 3	0 0 0	18,389 13 6
December	..	..	..	15,490 0 0	1 0 0	219 8 6	0 0 0	15,710 8 6
1866.								
January	..	..	..	16,791 9 6	0 0 0	0 0 0	64 6 6	16,856 0 0
February	..	..	..	20,009 0 6	8 0 0	0 0 0	0 0 0	20,012 0 6
March	..	..	..	20,720 11 0	5 4 0	0 0 0	-1 4 6	20,727 3 6
April	..	..	..	23,324 5 6	2 0 0	0 0 0	0 0 0	23,326 5 6
Total,				2,28,835 1 9	114 8 0	1,720 2 5	209 11 0	2,30,879 7 2

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,
Offg. Clerk of the Court.

STATEMENT shewing the Amount of Rent of the Building occupied by the Court estimated but not incurred from 1st May 1865 to 30th April 1866, prepared in conformity with Mr. Under-Secretary Bell's letter No. 45A., dated 16th February 1861.

MONTHS.								Rent of Court House estimated but not incurred.	REMARKS.
1865.								Rs.	
May	...	...	...	...	...	...	...	500	
June	...	...	...	...	...	...	...	500	
July	...	...	...	...	...	...	...	500	
August	...	...	...	...	...	...	...	500	
September	...	...	...	...	...	...	...	500	
October	...	...	...	...	...	...	...	500	
November	...	...	...	...	...	...	...	500	
December	...	...	...	...	...	...	...	500	
1866.									
January	...	...	...	...	...	...	...	500	
February	...	...	...	...	...	...	...	1,000	
March	...	...	...	...	...	...	...	1,000	
April	...	...	...	...	...	...	...	1,000	
Total,								7,500	

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,
Offg. Clerk of the Court.

xvii)

No. 16.

*STATEMENT of Indigent Debtors relieved from 1st May 1865 to 30th April 1866,
prepared in conformity with Mr. Secretary Eden's letter No. 873T., dated 1st
October 1868.*

Date and Month.				Names of Parties relieved.				Amount paid.		
1865.								Rs. As. P.		
13th May	...	...	...	J. Grogan	...	...	...	8	6	0
23rd June	...	...	...	C. Meagun	...	...	...	11	6	0
30th Ditto	...	...	...	Mrs. C. Barker	...	...	...	9	10	0
1st July	...	...	...	J. Rozario	...	...	...	10	0	0
5th Ditto	...	...	...	M. Field	...	...	...	30	0	0
25th Ditto	...	...	...	J. Bick	...	...	...	0	8	0
2nd August	...	...	...	G. Beak	...	...	...	11	6	0
9th Ditto	...	...	...	J. H. Chick	...	...	...	3	0	0
21st September	...	...	...	J. W. McLean	...	...	...	1	8	0
18th October	...	...	...	G. Williams	...	...	...	13	12	0
24th Ditto	...	...	...	J. S. Crump	...	...	...	28	4	0
6th December	...	...	...	Emma Evangoline	...	...	...	57	4	0
1866.										
15th January	...	...	...	Mr. Moule	...	...	...	57	1	0
19th February	...	...	...	J. Radcliffe	...	...	...	22	12	0
7th March	...	...	...	H. Moule	...	...	...	34	1	0
				Total,				298	14	0

CALCUTTA;
COURT OF SMALL CAUSES,
The 4th June 1866.

H. RYPER,
Offg. Clerk of the Court.

STATEMENT of the number of *Ex-parte* Cases disposed of by the Judges of the Calcutta Court of Small Causes from May 1865 to April 1866.

	1865.										1866.		
	May.	June.	July.	August.	September.	October.	November.	December.	January.	February.	March.	April.	Total.
First Judge	55	48	37	25	50	25	92	58	82	81	83	102	738
Second "	89	79	98	104	110	34	101	109	105	137	126	135	1227
Third "	120	157	126	187	156	51	138	150	170	164	97	...	1516
Fourth "	120	244	227	252	123	99	310	260	278	314	353	301	2881
Total, ...	384	528	488	568	439	209	641	577	635	696	659	538	6362

CALCUTTA ;
 COURT OF SMALL CAUSES,
 The 4th June 1866.

H. RYPER,
 Offg. Clerk of the Court.

(RESOLUTION.)

JUDICIAL.

Fort William, the 22nd June 1866.

READ a letter No. 7, dated the 4th instant, from the Judges of the Calcutta Court of Small Causes, submitting the annual report of the business of the Court during the year 1865-66.

2. The Lieutenant-Governor observes that the number of suits instituted during the year exceeded the number instituted in the previous year by 1,376, and the number instituted in 1863-64 by 2,444, and the amount in litigation was Rupees 20,20,398 against Rupees 17,68,551 in 1864-65, and Rupees 12,10,923 in 1863-64. These figures, as well as the fact noticed by the Judges that in thirty cases sums varying from Rupees 300 to Rupees 700 above Rupees 1,000 were relinquished in order to make the suits cognizable by the Court, shew that its popularity has not diminished, and that its simple and speedy procedure continues to inspire confidence.

3. Of the total number of suits (37,324) set down for hearing, 16,138 are said to have been decreed, 1,813 dismissed, 3,520 nonsuited, 14,402 compromised, 3,480 struck off on default, and 171 were pending at the close of the year. The aggregate of the last six items, which ought to correspond with the first, exceeds it by 200. This discrepancy requires explanation.

4. The Lieutenant-Governor considers the financial working of the Court during the past year to be very satisfactory, as it has resulted in a clear surplus of Rupees 88,011-5-10.

ORDERED that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes, with reference to their letter No. 7, dated the 4th instant.

By Order of the Lieutenant-Governor of Bengal,

A. EDEN,

Secretary to the Govt. of Bengal.

No. 3391.

COPY forwarded to the Judges of the Calcutta Court of Small Causes, for information.

FORT WILLIAM,

The 22nd June 1866.

A. MACKENZIE,

Offg. Under-Secy. to the Govt. of Bengal.

REPORT
OF THE
CALCUTTA COURT OF SMALL CAUSES
FOR THE YEAR
1866-67.



Calcutta :
E. DEAN, CALCUTTA CENTRAL PRESS COMPANY, LIMITED.
1867.

LIST OF TABLES AND STATEMENTS.

- No. 1. Part 1st.—Abstract Statement of the Statistics of the Court.
- No. 1. Part 2nd.—Ditto ditto ditto. .
- No. 2.—Comparative Table of Causes set down for hearing, shewing how they were disposed of.
- No. 3.—Table shewing the value of Suits instituted.
- No. 4.—Table shewing the amount of Commission and Fees received on Suits of different value.
- No. 5.—Statement shewing the number of Cases remaining undecided.
- No. 6.—Abstract Statement of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon.
- No. 7.—Comparative Statement of Commission and Fees realized and credited in the Cash Accounts in 1865-66 and in 1866-67.
- No. 8.—Abstract Statement of sums recovered and paid to Plaintiffs on account of their Suits.
- No. 9.—Table shewing the nature of Causes heard and decided.
- No. 10.—Statement shewing the Statistics of the Distrain Department of the Court (under Act VII. of 1847.)
- No. 11.—Statement shewing the amount of Fines levied.
- No. 12.—Statement shewing the Salaries of the Judges, Cost of the Establishment, and House Rent.
- No. 13.—Statement shewing the amount of Costs remitted and unrecovered.
- No. 14.—Statement shewing the net amount credited to the Government in the Cash Accounts.
- No. 15.—Statement of Indigent Debtors relieved.
- No. 16.—Statement of the number of Ex-parte Cases disposed of by the Judges.
- No. 17.—Comparative Table.

(if such were wanted) that (to quote the words of the Government Resolution on last year's Report) "the popularity of the Court has not diminished, and that its simple and speedy procedure continues to inspire confidence." Indeed, we consider this established beyond all doubt; and from the importance and interests involved in many of the suits now heard and determined in the Court, it is rapidly rising in public estimation, and must ere long hold a first place amongst the Civil Courts of the country: and to secure this, no pains or outlay ought to be spared to improve it in every department. The Act itself requires considerable modification and improvement, and we will take an early opportunity of addressing His Honor the Lieutenant-Governor on this subject.

7. The present Clerk of the Court, Mr. R. S. T. MacEwen, was only appointed on the 7th June last, but the regularity, firmness, and tact which he has introduced into the conduct of the business of the Court, have already produced very salutary effects. Several important changes have also been made in the Establishment during the 11 months under report, and we believe it to be now in a satisfactory working state as to its personnel, though there are some improvements relating to the salaries of the subordinates and other arrangements which we consider desirable, and as to which we have already addressed His Honor the Lieutenant-Governor.

We have the honor to be,

Sir,

Your most obedient Servants,

G. S. FAGAN,

JAMES H. A. BRANSON,

HURU CHUNDER GHOSE,

E. DACOSTA.

Judges of the Calcutta Court of Small Causes.

No. 2.

COMPARATIVE TABLE of Causes set down for hearing from the 1st May 1865 to 31st March 1866, and from 1st May 1866 to 31st March 1867, showing how they were disposed of.

	May.		June.		July.		August.		September.		October.		November.		December.		January.		February.		March.		Total.
	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1865	1866	1867
Judgment for Plaintiffs	1,403	1,600	1,322	1,720	1,577	1,813	1,586	1,758	1,503	1,926	411	877	1,425	469	1,212	995	1,239	1,181	1,430	1,166	1,535	1,294	14,639
Judgment for Defendants	186	177	185	158	225	161	165	216	160	181	48	75	140	59	110	99	102	129	163	116	143	112	1,619
Nonsuited and struck out	629	711	550	658	664	718	685	802	680	817	183	451	743	308	493	497	569	679	661	601	698	688	6,930
Compromised... .. .	1,086	1,095	1,105	1,080	1,262	1,209	1,337	1,290	1,187	1,331	253	711	1,111	261	902	676	785	790	1,098	869	1,167	941	11,343
Undecided, postponed after being called on for hearing, and pending not called on—																							
In 1865-66 .. *1,154																							
In 1866-67 .. 1,666																							
Total Rs.	3,308	3,583	3,162	3,616	3,728	3,901	3,817	4,066	3,430	4,235	805	2,114	3,415	1,097	2,717	2,271	2,695	2,779	3,252	2,752	3,443	3,035	33,862
																							31,469

* In last year's Return, only 171 cases, those postponed after being partly heard, were shown as pending. To this should have been added 1,013 cases instituted towards the close of the year, the returnable date of hearing being in May 1866.

CALCUTTA COURT OF SMALL CAUSES,
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

TABLE showing the value of suits instituted from 1st May 1866 to 31st March 1867.

MONTHS.	Under Rs. 10.												Above Rs. 10 and under Rs. 20.	Above Rs. 20 and under Rs. 50.	Above Rs. 50 and under Rs. 100.	Above Rs. 100 and under Rs. 200.	Above Rs. 200 and under Rs. 300.	Above Rs. 300 and under Rs. 400.	Above Rs. 400 and under Rs. 500.	Above Rs. 500 and under Rs. 600.	Above Rs. 600 and under Rs. 700.	Above Rs. 700 and under Rs. 800.	Above Rs. 800 and under Rs. 900.	Above Rs. 900 and under Rs. 1,000.	Total.		
	1866.	May	June	July	August	September	October	November	December	1867.	January	February	March	Total Rs.
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CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

TABLE shewing the amount of Commission and Fees recovered on Suits of different value from 1st May 1866 to 31st March 1867.

MONTHS.	Commission and Fees on Suits under Rs. 10.	On Suits under Rs. 20.	On Suits under Rs. 50.	On Suits under Rs. 100.	On Suits under Rs. 200.	On Suits under Rs. 300.	On Suits under Rs. 400.	On Suits under Rs. 500.	On Suits under Rs. 600.	On Suits under Rs. 700.	On Suits under Rs. 800.	On Suits under Rs. 900.	On Suits under Rs. 1000.	Total.
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
1866.														
May	2,435 1 6	1,686 4 9	1,975 8 9	2,432 13 9	1,806 6 0	2,034 9 0	1,677 6 9	1,960 7 6	1,238 7 0	1,046 9 3	1,646 13 3	1,340 8 9	960 4 0	22,173 3 0
June	2,341 6 0	1,331 9 0	1,476 5 3	1,965 15 0	1,637 2 6	1,700 5 6	1,703 0 9	2,138 15 6	1,346 7 9	1,331 0 6	1,772 3 0	1,944 15 6	1,829 0 6	22,515 4 9
July	2,803 0 9	1,347 3 3	1,371 5 9	2,641 11 6	1,902 1 9	1,768 9 3	1,768 0 9	1,768 0 9	1,375 3 6	1,421 4 6	1,215 3 6	1,330 13 0	1,795 15 3	23,004 9 3
August	2,414 4 3	1,240 7 9	1,384 3 3	1,901 0 9	2,664 3 0	3,618 7 0	4,377 1 0	4,113 1 0	474 12 0	968 8 0	328 1 9	706 14 6	1,441 2 6	22,049 2 9
September	2,945 11 6	943 9 3	1,338 3 0	2,432 6 9	3,466 1 3	3,516 11 3	3,784 1 0	3,59 5 3	1,421 8 9	373 9 3	244 8 9	348 8 9	677 1 3	21,309 6 0
October	755 8 3	379 13 3	534 7 9	659 10 6	834 3 0	520 11 0	476 0 6	466 10 0	466 2 0	237 10 6	337 7 6	383 10 0	469 5 0	6,482 8 3
November	1,429 13 0	860 4 8	1,226 3 9	1,233 13 9	1,475 11 8	1,118 0 0	1,151 5 6	1,038 6 9	491 7 0	438 6 0	649 0 3	270 8 0	878 2 3	14,313 2 3
December	1,000 9 9	733 12 0	763 11 0	1,517 7 6	1,577 0 0	1,113 8 0	1,093 7 3	578 12 9	823 6 6	404 0 9	159 0 8	436 2 9	1,176 15 9	11,704 14 9
1867.														
January	2,467 0 3	1,455 8 0	2,030 12 6	3,229 13 9	2,463 2 6	2,087 15 9	2,041 0 9	1,784 13 0	748 5 9	806 15 3	773 13 0	454 8 3	2,191 8 0	23,031 4 0
February	1,011 13 6	1,211 15 0	1,735 0 0	2,749 7 6	2,079 10 0	1,574 9 6	1,323 13 6	1,063 5 0	627 0 3	1,117 10 6	905 13 6	268 11 3	784 10 0	17,468 9 6
March	2,072 0 3	1,365 13 6	1,645 11 6	2,476 5 3	2,444 13 0	1,916 3 3	1,334 11 6	1,149 3 3	941 4 0	962 9 0	566 10 9	440 10 3	1,456 7 6	19,982 7 0
Total Rs. ...	21,577 2 0	12,809 4 6	16,361 8 6	23,364 10 0	22,892 6 6	21,007 9 6	20,636 3 3	13,066 13 6	10,154 0 6	9,030 3 6	6,431 11 0	7,733 13 9	13,468 8 0	2,00,304 1 6

CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

STATEMENT shewing the number of Cases pending on the 31st March, 1867.

	NUMBER OF CASES PARTLY HEARD AND POSITIONED.							Grand Total.
	For service of Summons.	For Witnesses.	For Attachments.	At the request of parties to the suit.	Referred to Arbitration.	By order of the Court.	Total.	
1st Judge	5	16	...	24	24	29	98	240
2nd Judge	17	10	...	12	12	13	64	376
3rd Judge	2	...	...	4	5	...	11	451
4th Judge	3	5	...	7	4	6	25	599
Total	27	31	...	47	45	48	198	1,666

Instituted, but not returnable till after close of the year.

(viii)

R. S. T. MACEWEN,
Clerk of the Court.

CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1867.

No. 6.

ABSTRACT STATEMENT of Causes set down for hearing and disposed of, with the Commission and Fees leviable thereon, from 1st May 1866 to 31st March 1867.

MONTHS.	Judgment for Plaintiffs.	Judgment for Defendants.	Struck out.	Nonsuited.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.	Commission and fees leviable.
1866.									Ra. As. P.
May	1,600	177	297	414	1,095	3,583	...	3,875	21,652 0 0
June	1,720	158	289	369	1,080	3,616	...	3,565	23,182 12 3
July	1,818	161	274	441	1,209	3,901	...	3,968	23,341 1 9
August	1,758	216	354	448	1,290	3,966	...	4,148	22,820 12 6
September	1,926	181	321	496	1,331	4,255	...	4,309	22,202 8 9
October	877	75	203	248	711	2,114	...	1,051	10,652 4 0
November	469	59	187	121	261	1,097	...	2,286	8,681 7 6
December	999	99	256	241	676	2,271	...	1,724	13,031 15 9
1867.									
January	1,181	129	363	316	790	2,779	...	3,338	21,223 11 6
February	1,166	116	314	287	869	2,702	...	2,739	19,200 5 0
March	1,294	112	323	365	941	3,035	1,666	2,978	22,126 3 0
Total Rs. ...	14,803	1,483	3,181	3,749	10,253	73,469	1,666	33,951	2,08,318 2 0

Amount leviable

ADD—Transferred costs of 30th April, 1866, not included in this Statement ...

DEDUCT—Costs remitted from May 1866 to March 1867, as per Statement No. 13

Transferred costs of 30th March, 1867, included in this Statement, but transferred on 1st April, 1867

Credited in cash accounts ...

DEDUCT—Debited in ditto as costs returned

As per Statement No. 7...

CALCUTTA COURT OF SMALL CAUSES,

The 16th May, 1867.

R. S. T. MACEWEN,

Clerk of the Court.

[illegible]

CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1907.

R. S. T. MACEWEN,
Clerk of the Court.

ABSTRACT STATEMENT of sums received and paid to Plaintiffs on account of their suits from 1st May 1866 to 31st March 1867.

	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.
Balance on hand ...	.....	17,388 1 4		
To Cash received on Causes decreed in May 1866	27,850 9 2			27,145 15 4
Ditto ditto June "	28,408 2 3			28,135 11 3
Ditto ditto July "	27,676 3 11			26,345 4 3
Ditto ditto Augt. "	34,499 5 0			36,326 3 2
Ditto ditto Sept. "	29,443 4 11			28,091 14 10
Ditto ditto Oct. "	15,392 1 6			16,418 14 0
Ditto ditto Nov. "	14,795 3 8			14,799 3 2
Ditto ditto Dec. "	13,343 10 2			13,459 14 3
Ditto ditto Jan. 1867	23,588 9 11			21,757 4 1
Ditto ditto Feb. "	23,183 13 3			22,240 8 6
Ditto ditto March "	30,290 12 8			30,535 15 4
		2,63,476 12 5		2,66,356 12 2
			Net Balance ...	19,508 1 7
			Rupees ...	2,85,864 13 9

CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

TABLE shewing the nature of cases heard and decided from 1st May 1866 to 31st March 1867.

MONTHS.	Goods sold and delivered.	Bills of Exchange and Promissory Notes.	Wages.	Work and labour.	Money paid.	Money lent.	Money had and received.	Account stated.	Use and occupation.	On Judgment.	(Guarantee.	Partnership Balance.	Other actions on contract.	Trover.	Actions on the case.	Traps to Property.	Assault.	Replevin.	Interpleader claims.	Recovery of small Tenements.	Ejectment.	Against Executors and Administrators.	Covenant.	Total.
1866.																								
May	1,471	137	243	212	60	376	155	52	173	12	26	13	386	61	54	2	93	1	59	5	2	4	.....	3,583
June	1,468	133	229	197	45	434	137	50	345	7	14	15	391	75	37	.....	86	.....	41	3	4	3	.....	3,616
July	1,652	139	250	211	43	456	135	68	193	5	8	9	453	69	62	1	57	1	51	1	5	1	.....	3,901
August	1,874	148	287	217	25	425	113	46	229	5	12	9	332	78	81	2	84	3	82	4	1	.....	4	4,066
September	1,906	165	259	227	47	569	129	55	235	9	5	6	350	72	67	4	71	1	65	2	10	.....	.....	4,255
October	912	79	142	125	20	274	76	26	117	5	4	5	263	37	206	2	52	3	31	1	2	.....	1	2,114
November	424	45	63	68	24	134	50	21	47	2	1	6	85	40	38	.....	34	.....	14	5	1	.....	.....	1,097
December 1867	887	92	159	109	18	269	164	46	71	50	1	6	205	63	36	16	29	15	30	8	5	.....	.....	2,271
January	1,046	122	215	158	53	369	167	38	146	5	3	22	253	76	65	5	63	.....	32	4	6	1	17	2,779
February	1,112	116	210	157	24	382	90	44	135	2	9	4	216	62	58	2	60	.....	54	.....	3	1	13	2,752
March	1,253	101	219	178	35	408	96	49	152	6	6	7	264	52	59	3	63	.....	53	.....	9	.....	21	3,085
Total Rupees	14,043	1,277	2,276	1,854	394	4,101	1,246	493	1,813	108	92	106	3,020	670	512	57	672	24	516	35	48	10	56	53,469

CALCUTTA COURT OF SMALL CAUSES,
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

STATEMENT shewing the Statistics of the Distraint Department of the Court under Act VII of 1847, from 1st May 1866 to 31st March 1867.

MONTHS.	Distraint compromised before appraisement.	Sales.	Distress set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distress set aside after appraisement.	Total number of distresses for rent.	Amount of rent for which distresses were made.	Commission and fees deposited.	Commission and fees credited to Government.	Subpoena and notice fees.	Total amount credited to Government.	Remarks.
1866.								Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
May ...	22	9	.....	.. 3	12	2	45	4,880 14 0	706 0 0	423 0 0	7 0 0	430 0 0	
June ...	23	2	.....	1	13	1	42	3,274 1 9	466 0 0	358 4 0	3 0 0	361 4 0	
July ...	23	6	.....	1	2	.....	32	2,786 0 3	418 4 0	145 4 0	7 12 0	153 0 0	
August ...	23	11	.....	1	7	.....	42	4,130 14 6	508 0 0	202 12 0	0 8 0	203 4 0	
September ...	34	13	.....	1	7	.....	55	4,393 10 1	658 4 0	258 0 0	0 12 0	258 12 0	
October ...	14	.....	.....	1	2	.....	17	2,091 6 3	285 12 0	131 0 0	2 4 0	133 4 0	
November ...	17	4	.....	..	5	.....	26	1,802 10 0	283 8 0	138 4 0	.....	138 4 0	
December ...	13	8	.....	..	3	.....	24	2,386 14 0	353 0 0	113 12 0	4 12 0	118 8 0	
1867.													
January ...	11	4	.....	1	7	1	24	1,730 12 0	273 4 0	179 12 0	2 8 0	182 4 0	
February ...	15	7	.....	..	9	1	32	4,274 15 9	624 12 0	329 12 0	3 12 0	333 8 0	
March ...	9	2	.....	..	3	.....	14	1,302 12 0	188 4 0	384 4 0	49 0 0	433 4 0	
Total Rupees ...	204	66	.....	8	70	5	353	33,054 14 7	4,775 0 0	2,664 0 0	81 4 0	2,745 4 0	

CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

STATEMENT shewing the Amount of Fines from 1st May 1866 to 31st March 1867.

YEARS.	MONTHS.					AMOUNTS.
						Rs. As. P.
1866	May	...	...	...	...	26 0 0
	June	...	...	...	...	22 8 0
	July	...	...	...	...	13 13 3
	August	...	...	...	...	61 0 0
	September	...	...	...	...	1 9 0
	October	...	...	...	...	15 0 0
	November	...	...	...	...	.....
	December	...	...	...	...	0 4 0
1867	January	...	...	...	...	8 0 0
	February	...	...	...	...	50 0 0
	March	...	...	...	...	85 0 0
Total Rupees						283 2 3

CALCUTTA COURT OF SMALL CAUSES, }
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

STATEMENT showing the Salaries of the Judges, cost of the Establishment, and House-rent, from 1st May 1866 to 31st March 1867.

MONTHS.	Salaries of the Judges.	Establishment charges.	House-rent.	Total.
1866.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
May	5,750 0 0	6,207 12 9	1,000 0 0	12,957 12 9
June	5,750 0 0	6,258 11 8	1,000 0 0	13,008 11 8
July	5,601 13 3	6,239 1 0	1,000 0 0	12,843 14 3
August	4,274 3 0	6,226 13 9	800 0 0	11,301 0 9
September	5,583 5 4	6,208 4 2	800 0 0	12,591 0 6
October	7,537 10 3	6,232 5 9	800 0 0	14,570 0 9
November	5,259 2 3	6,245 7 4	800 0 0	12,304 9 7
December	5,500 0 0	6,385 15 1	800 0 0	12,685 15 1
1867.				
January	6,287 1 6	6,335 8 0	800 0 0	13,422 9 6
February	5,600 0 0	6,384 2 6	800 0 0	12,784 2 6
March	5,600 0 0	6,376 3 9	800 0 0	12,776 3 9
Total Rupees ...	62,746 3 7	69,100 5 9	9,400 0 0	1,41,246 9 4

CALCUTTA COURT OF SMALL CAUSES, }

The 16th May, 1867.

R. S. T. MACEWEN,

Clerk of the Court.

No. 13.

STATEMENT shewing the amount of Costs remitted and unrecovered from 1st May 1866 to 31st March 1867.

MONTHS.		Pauper Suits.		Costs remitted.		Costs of attach- ments order- ed, but not applied for.		Fees for second summons or- dered, but not applied for.		Fees for contempt processes ord- ered against witnesses, but not applied for.		Total.		REMARKS.
		Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	Rs.	As. P.	
1866.														
In May ...	...	922	11 9	261	8 0	...	...	22	8 0	5	10 0	1,212	5 9	
" June ...	...	541	7 0	124	5 0	2	0 0	0	4 0	7	0 0	675	3 0	
" July ...	...	823	8 9	279	7 0	...	...	25	0 0	0	14 0	1,128	14 6	
" August	...	942	0 6	141	5 6	...	...	10	0 0	0	6 0	1,093	12 0	
" September	...	943	3 3	9	14 0	1	8 0	6	2 0	0	4 0	960	15 3	
" October	...	208	10 3	...	...	...	...	7	0 0	-0	4 0	215	14 3	
" November	...	430	8 3	8	10 9	3	8 0	2	4 0	0	12 0	445	11 0	
" December	...	558	0 0	16	0 0	...	...	9	10 0	0	2 0	583	12 9	
1867.														
" January	...	1,102	11 6	96	13 0	...	...	67	4 0	...	...	1,266	12 6	
" February	...	971	7 6	255	14 3	...	...	11	10 0	...	...	1,238	15 9	
" March	...	1,143	6 9	91	10 9	...	...	20	10 0	...	...	1,255	11 6	
Total Rupees		8,537	11 6	1,285	12 9	7	0 0	182	4 0	15	4 0	10,078	0 3	

CALCUTTA COURT OF SMALL CAUSES,
 The 16th May, 1867.

R. S. T. MACEWEN,
 Clerk of the Court.

No. 14.

STATEMENT showing the Net Amount credited to Government in the Cash Accounts from 1st May 1866 to 31st March 1867.

MONTHS.		Commission and Fees.	Fines.	Unclaimed Suitors' Money.	Savings from sales, sale of old records, &c.	Total Amount Credited.
1866.		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
May	...	21,283 8 6	26 0 0	1,417 9 6	1 8 0	22,728 10 0
June	...	22,416 9 9	22 8 0	266 11 6	.....	22,705 13 3
July	...	23,050 5 6	13 13 3	217 6 3	.....	23,281 9 0
August	...	22,172 1 0	61 0 0	227 6 3	.....	22,460 7 3
September	...	21,282 0 9	1 9 6	431 3 3	7 2 0	21,721 15 0
October	...	10,710 5 0	15 0 0	437 13 6	10 8 0	11,173 10 6
November	...	8,486 8 0	.....	235 6 9	78 6 6	8,798 5 3
December	...	12,645 3 0	0 4 0	Deduct erroroneously credited. { 112-4-3 } 13-8-0	.....	12,744 3 3
1867.				98 12 3		
January	...	19,792 8 0	8 0 0	.....	11 12 6	19,812 4 6
February	...	18,258 15 9	50 0 0	.....	.....	18,308 15 9
March	...	21,407 10 3	85 0 0	.....	.....	21,492 10 3
Total Rs. ...		2,01,505 11 6	283 2 3	3,380 5 3	109 5 0	2,05,228 8 0

CALCUTTA COURT OF SMALL CAUSES,
The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

STATEMENT of Indigent Debtors relieved from 1st May 1866 to 31st March 1867, prepared in conformity with Mr. Secretary Eden's letter No. 873T., dated 1st October, 1863.

DATE AND MONTH.	NAMES OF PARTIES RELIEVED.	AMOUNT PAID.		
		Rs.	As.	P.
1866.				
12th May ...	F. Smith ...	8	15	6
14th June ...	G. Merics ...	23	4	0
17th December .	Mrs. F. C. DeSilva	4	8	0
1867.				
8th January .	Mrs. F. C. DeSilva ...	50	0	0
30th Ditto .	Mrs. S. G. Pegredo .	20	0	0
16th February .	Mrs. J. G. Wall .	20	0	0
	Total Rupees ...	196	11	6

CALCUTTA COURT OF SMALL CAUSES, }

The 16th May, 1867.

R. S. T. MACEWEN,
Clerk of the Court.

(RESOLUTION)

JUDICIAL.

Fort William, the 20th August 1867.

READ a letter No. 11, dated the 16th May last, from the Judges of the Calcutta Court of Small Causes, submitting the Annual Report of the business of the Court during the eleven months of the year 1866-67.

2. A comparison of the statistics of these eleven months in connection with those of the corresponding period in 1865-66 shows the following comparative results :—

	For 11 months ending March 1866.	For 11 months ending March 1867.	Increase.	Decrease.
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
Number of cases instituted in the Court ...	34,071 0 0	33,951 0 0	0 0 0	120 0 0
Amount in litigation ...	18,41,392 4 2	17,32,378 12 0	0 0 0	1,09,013 8 2
Receipts on account of fees, &c. ...	2,07,553 1 8	2,05,228 8 0	0 0 0	2,324 9 8
Cost of establishment, &c. ...	1,30,416 2 0	1,41,246 9 4	10,830 7 4	0 0 0
Surplus of receipts over expenditure ...	77,136 15 8	63,981 14 8	0 0 0	13,155 1 0
Cases decided <i>ex-parte</i> in favor of Plaintiff ...	6,362 0 0	7,187 0 0	825 0 0	0 0 0
	(during 12 months.)			
Cases pending at the close of the year ...	1,184 0 0	1,666 0 0	482 0 0	0 0 0
Cases above Rs. 1,000 ...	26 0 0	44 0 0	18 0 0	0 0 0
Ratio of English to Native cases ...	1 to 4.18 0 0	1 to 4.43 0 0		
Cases referred to arbitration ...	292 0 0	322 0 0	30 0 0	0 0 0
Cases in which parties appeared by Attornies ...	250 0 0	297 0 0	47 0 0	0 0 0
Total number of distresses for rent ...	336 0 0	353 0 0	17 0 0	0 0 0
Fines ...	112 8 0	283 2 3	170 10 3	0 0 0

3. These results are, on the whole, satisfactory.

4. The decrease in the number of cases instituted in the Court was trifling, and was owing probably to the depressed state of trade during the past year.

5. The financial working of the Court is regarded by the Lieutenant-Governor as favorable. There was a decrease of Rupees 2,324 in the gross receipts of the past year, but this difference is very insignificant, considering the exceptional circumstances of the year.

6. The considerable increase in the number of cases decided *ex-parte* in favor of plaintiffs is striking. The Lieutenant-Governor also observes that while there were fewer institutions during the past year than in 1865-66, the number of cases pending at the close of the past year exceeded by 482, the number of cases pending at the close of the previous year.

7. The ratio of English to Native cases during the past year was much the same as in 1865-66.

8. The Statement No. 9 annexed to the report, shewing the number of cases heard and decided during the year, exhibits a decrease under the heads noted in the margin, but shews an increase under all other heads, and a large increase under the head of 'goods sold and delivered.'

9. The general comparative Table No. 17 shews a steady increase in the business and the income of the Court from 1850-51 to the present time.

10. The increase in the number of cases in which plaintiffs have relinquished sums above Rupees 1,000 in order to bring their claims within the jurisdiction of the Calcutta Small Cause Court, as mentioned in paragraph 5 of the report is undoubtedly a proof of the established popularity of the Court and of the general satisfaction which its simple and speedy procedure affords.

11. The Lieutenant-Governor will give prompt attention to the suggestions which the Judges intend to make for the modification and improvement of the Act which at present regulates the procedure of the Court.

12. His Honor notices with pleasure the very favorable mention made by the Judges of the services already rendered by Mr. R. S. T. MacEwen, the present Clerk of the Court.

ORDERED, that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes for information.

H. L. DAMPIER,

Offg. Secretary to the Govt. of Bengal.

No. 4908.

Copy forwarded to the Judges of the Calcutta Court of Small Causes for information.

By Order of the Lieutenant-Governor of Bengal,

FORT WILLIAM,

The 20th August 1867.

H. L. DAMPIER,

Offg. Secretary to the Govt. of Bengal.



REPORT



OF THE

CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1867-68.



CALCUTTA :

R. M. LEWIS, CALCUTTA CENTRAL PRESS COMPANY, LIMITED,
5, Council House Street.

1868.

LIST OF TABLES AND STATEMENTS.

- No. I.—Part 1st.—Abstract Statement of the Statistics of the Court.
- No. I.—Part 2nd.—Ditto ditto ditto.
- No. II.—Comparative Table of Causes set down for hearing, shewing how they were disposed of.
- No. III.—Statement shewing the number of Cases pending.
- No. IV.—Abstract Statement of Cases set down for hearing and disposed of, with Commission and Fees leviable thereon.
- No. V.—Comparative Statement of Commission and Fees realized and credited in the Cash Account in 1866-67 and in 1867-68.
- No. VI.—Abstract Statement of Sums received and paid to Plaintiffs on account of their Suits.
- No. VII.—Table shewing the nature of Cases heard and decided.
- No. VIII.—Statement shewing the Statistics of the Distrain Department of the Court (under Act VII. of 1867.)
- No. IX.—Statement shewing the amount of Fines.
- No. X.—Statement shewing the Salaries of the Judges, Cost of the Establishment, and House Rent.
- No. XI.—Statement shewing the amount of Costs remitted and unrecovered.
- No. XII.—Statement shewing the net amount credited to Government in the Cash Accounts.
- No. XIII.—Statement of Indigent Debtors relieved.
- No. XIV.—Statement of the number of Ex-parte Cases disposed of by the Judges.
- No. XV.—Comparative Table.
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FROM

THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL.

Fort William, the 9th May, 1868.

SIR,

WE have the honour to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the 18th Annual Report of the business of this Court for the year 1867-68, ending 31st March last.

* Of these 789 were cases for sums over Rs. 500.

1 Instituted in 11 months of 1866-67..	33,051
Do. April, 1866 ..	3,253
Total ..	<u>37,204</u>

2. The number of cases instituted in this Court during the year was 30,214,* being a decrease of 6,990† cases as compared with the number instituted during the twelve months of the year ending 31st March, 1867. The average number of cases for each day was 118.95.

3. The amount in litigation was Rs. 16,45,704-4-10. Rs. 3,04,351-13-9 were paid into, and Rs. 3,02,320-5-0 paid out of Court to plaintiffs. For the twelve months last above mentioned, the amount in litigation was Rs. 19,11,384-12-1, and the number of suits 37,204.

4. The receipts on account of fees, &c., during the year under report amounted to Rs. 2,16,595-13-5, and the cost of the Establishment, including salaries of the Judges and house-rent, was Rs. 1,56,277-4-4, leaving a balance of Rs. 60,318-9-1 to the credit of the Court. For the same period of 1866-67, the receipts amounted to Rs. 2,28,554-13-6, and the expenditure to Rs. 1,53,698-8-8.

‡ Pending from 1866-67 ..	1,666
Instituted in 1867-68 ..	30,214
Total ..	<u>31,880</u>

§ Instituted in the last week of the year, returnable date of summons being in April, 1868 ..	733
Pending, partly heard, & adjourned ..	306
Total ..	<u>1,039</u>

5. Of the cases, 31,880,‡ set down for hearing during the year, 13,008 were decided in favor of the plaintiffs (of which 6,368 were tried *ex-parte*); 1,565 were dismissed; 3,698 were nonsuited; 9,552 were compromised; 3,018 were struck off on default of plaintiffs; and 1,039 were pending§ at the close of the year.

6. The institutions during the year include 39 cases for sums exceeding Rs. 1,000. In one case Rs. 400 was abandoned; in 5 other cases amounts ranging from Rs. 200 to Rs. 400; in 5 cases amounts between Rs. 100 and 200; and in the remaining 28 cases sums less than Rs. 100 were abandoned.

7. The following Comparative Table shows the classes of cases that have decreased during the year :—

Class of Cases.		For 12 months, from April 1866 to March 1867.	For 12 months of 1867-68.	Increase.	Decrease.
Under Rupees	10	21,602	16,298	.....	5,304
Ditto	20	6,161	5,257	.....	904
Ditto	50	3,508	3,542	34	.....
Ditto	100	2,528	2,014	.....	514
Ditto	200	1,296	1,093	.....	203
Ditto	300	697	576	.....	121
Ditto	400	487	357	.....	130
Ditto	500	245	288	43	.....
Ditto	600	162	187	25	.....
Ditto	700	140	153	13	.....
Ditto	800	114	137	23	.....
Ditto	900	104	128	24	.....
Ditto	1,000	112	145	33	.....
Above Rupees	1,000	48	39	.....	9
Total	...	37,204	30,214	195	7,185
Deduct Increase	...	.....	.....	.....	195
Net Decrease	...	.....	.....	.....	6,990

It will be observed that the great decrease is in suits for sums ranging between Re. 1 to Rs. 10. These are principally native cases, and the decrease may be attributed to two causes : *first*, to the fact that a wholesome check to the institution of suits by Mooktears and Dalolls (a race of harpies that infested the Court, and preyed upon poor and ignorant suitors) was imposed early in the year ; and, *secondly*, to the depressed state of trade during the year.

8. So far, therefore, as the Court itself is concerned, the results must be considered satisfactory ; and the increase, notwithstanding the depressed state of the trade, in each of the classes of cases above Rs. 500, shows that the extended jurisdiction continues to work well, and is still popular. The decrease in petty litigation, keeping in view the source to which much of it was due, is perhaps the cause of satisfaction rather than otherwise.

9. The Establishment of the Court has been re-organized during the year, effecting a monthly saving of Rs. 239. On the introduction of the system for the levying of costs and fees by means of stamps, a further revision and saving will take place. The services of seventeen Assistants have already been dispensed with, and a selection of the best officers for the new appointments has been made.

10. One important feature of the scheme has been to invest, temporarily, the Clerk of the Court with judicial powers, with a view to ascertaining by experiment, before altering the existing provisions of the law, how far the appointment of a Registrar, with judicial powers, would be likely to be beneficial to the conduct of the business of the Court. These duties have been most satisfactorily performed by Mr. MacEwen, and there seems to be every prospect, as far as we can at present judge, of the proposed arrangement answering the end in view.

We have the honor to be,

SIR,

Your most obedient Servants,

G. S. FAGAN,

N. H. THOMSON,

HURU CHUNDER GHOSE,

E. DACOSTA,

Judges of the Calcutta Court of Small Causes.

No. II.

COMPARATIVE TABLE of Causes set down for hearing from the 1st April 1866 to 31st March 1867, and from 1st April 1867 to 31st March 1868, showing how they were disposed of.

	April.		May.		June.		July.		August.		September.		October.		November.		December.		January.		February.		March.		Total.	
	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867	1866	1867
Judgment for plaintiffs	1,499	1,091	1,600	1,073	1,720	734	1,813	1,608	1,758	1,235	1,926	1,589	877	231	469	838	999	894	1,181	1,188	1,166	1,184	1,294	1,341	16,302	13,008
Judgment for defendants	194	134	177	157	15	70	161	181	216	170	181	165	75	43	50	118	99	105	129	119	116	136	112	167	1,677	1,566
Non-suited and struck out	739	646	711	480	658	377	718	787	802	642	817	816	451	199	308	362	497	436	679	665	601	616	688	600	7,669	6,716
Compromised	1,059	781	1,095	794	1,080	515	1,209	1,126	1,290	1,068	1,331	1,269	711	177	261	484	676	660	790	819	869	869	941	990	11,312	9,552
Undecided. Postponed after being called on for hearing—																										
In 1866-67 ..																										
In 1867-68 ..																										
Total	3,491	2,652	3,583	2,506	3,616	1,695	3,901	3,702	4,066	3,115	4,255	3,839	2,114	650	1,097	1,892	2,271	2,095	2,779	2,791	2,752	2,805	3,035	3,098	36,960	30,841

* 306 postponed after being partly heard. 733 instituted towards the close of the year, the returnable date of hearing being in April, 1868.

Calcutta Court of Small Causes, }
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge & Clerk of the Court.

No. III.

STATEMENT showing the number of Cases pending on the 31st March, 1868.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.						Instituted, but not returnable till after close of the year.	Grand Total.
	For service of Summons.	For Witnesses.	For Attachments.	At the request of the parties to the suit.	Referred to Arbitration.	By order of the Court.	Total.	
1st Judge	9	22	..	14	5	33	83	156
2nd Judge	21	29	..	27	7	...	84	217
3rd Judge	7	9	..	6	2	17	41	249
4th Judge	18	19	..	21	9	29	96	320
5th Judge	1	..	..	1	..	...	2	97
Total	56	79	..	69	23	79	306	1,039

CALCUTTA COURT OF SMALL CAUSES, }
The 9th May, 1868.

R. S. T. MACEWELL,
Offg. 5th Judge and Clerk of the Court.

No. IV.

ABSTRACT STATEMENT of Cases set down for hearing and disposed of, with Commission and Fees leviable thereon, from 1st April 1867 to 31st March 1868.

	Judgment for Plaintiffs.	Judgment for Defendants.	Struck out.	Nonsuited.	Compromised.	Total Number of Cases disposed of.	Undecided.	Total Number of Cases instituted.	Commission and Fees leviable.
1867.									Ra. As. P.
April	1,091	134	335	311	781	2,652	.....	2,491	18,184 0 9
May	1,075	157	216	264	794	2,506	.....	2,648	20,455 11 3
June	734	70	188	189	515	1,696	.....	2,030	13,516 4 6
July	1,608	181	326	461	1,126	3,702	.....	3,565	24,899 5 9
August	1,235	170	261	381	1,068	3,115	.....	3,301	21,862 15 9
September	1,589	165	362	454	1,269	3,839	.....	2,823	23,845 15 6
October	231	43	109	90	177	650	.....	780	6,011 4 3
November	838	118	221	231	484	1,892	.....	2,400	17,308 10 6
December	894	105	189	247	660	2,095	.....	1,660	14,945 3 0
1868.									
January	1,188	119	292	373	819	2,791	.....	2,516	15,178 8 3
February	1,184	136	267	349	869	2,808	.....	2,896	19,792 13 3
March	1,341	167	252	348	990	3,098	1,039	3,104	18,710 5 6
Total	13,008	1,565	3,018	3,698	9,552	30,841	1,039	30,214	2,18,711 8 3

Amount leviable

Add—Transferred Costs of 31st March, 1867, not included in this Statement

2,18,711 8 3

7,819 2 3

2,19,439 1 0

Deduct—Costs remitted from April 1867 to March 1868, as per Statement No. 11

Transferred Costs of 31st March 1868 included in this Statement, but transferred on 2nd April, 1868, 1,956 0 0

2,17,483 1 0

CALCUTTA COURT OF SMALL CAUSES,
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge and Clerk of the Court.

Credited in Cash Account

2,10,605 2 6

Deduct—Debited in ditto as costs returned

63 2 0

As per Statement No. 5

2,10,546 0 6

COMPARATIVE STATEMENT of Commission and Fees realized and credited in the Cash Accounts in 1866-67 and in 1867-68.

OLYMPIA COVER OF SMALL CAPS,
THE 101 MAY 1963

R. S. T. MACGOWEN,
Officiating MA Judge and Clerk of the Court.

No. VI.

ABSTRACT STATEMENT of Sums received and paid to Plaintiffs on account of their Suits from 1st April 1867 to 31st March 1868.

Balance in hand		Ra.	As.	P.	Ra.	As.	P.	Ra.	As.	P.	Ra.	As.	P.			
...		13,508	1	7	By Cash paid to Piffs. on Causes decreed in April 1867						26,524	8	10
Ditto	ditto	30,434	9	6	...	...	...	Ditto	ditto	ditto	May	...	23,829	3	10
Ditto	ditto	14,486	15	1	...	...	...	Ditto	ditto	ditto	June	...	17,294	7	8
Ditto	ditto	29,901	10	2	...	...	...	Ditto	ditto	ditto	July	...	32,088	13	2
Ditto	ditto	28,368	13	5	...	...	...	Ditto	ditto	ditto	Augt.	...	27,042	10	5
Ditto	ditto	29,179	3	9	...	...	...	Ditto	ditto	ditto	Sept.	...	28,330	3	6
Ditto	ditto	11,575	3	3	...	...	...	Ditto	ditto	ditto	Oct.	...	11,633	15	9
Ditto	ditto	20,564	9	9	...	...	...	Ditto	ditto	ditto	Nov.	...	20,084	2	3
Ditto	ditto	24,850	10	0	...	...	...	Ditto	ditto	ditto	Dec.	...	22,708	5	9
Ditto	ditto	32,248	2	0	...	...	...	Ditto	ditto	ditto	Jan. 1868	...	32,005	1	3
Ditto	ditto	30,556	12	4	...	...	...	Ditto	ditto	ditto	Feb.	...	33,334	4	10
Ditto	ditto	26,918	4	9	...	...	...	Ditto	ditto	ditto	Mar.	...	26,849	7	9
Rupees		...	...	...	3,04,351	13	9	Balance		...	...	...	21,539	10	4
		...	...	...	3,23,859	15	4	Rupees		...	...	...	3,23,859	15	4

CALCUTTA COURT OF SMALL CAUSES, }
The 9th May, 1868.
R. S. T. MACKWEN,
Offg. 5th Judge and Clerk of the Court.

No. VII.

TABLE shewing the nature of Cases heard and decided from 1st April 1867 to 31st March 1868.

MONTHS.	Goods sold and delivered.	Bills of exchange and promissory notes.	Wages.	Work and labor.	Money paid.	Money lent.	Money had and received.	Account stated.	Use and occupation.	On judgment.	Guarantee.	Partnership balance.	Other actions on contract.	Trover.	Actions on the case.	Trespass to property.	Assault.	Replevin.	Interpleader claims.	Recovery of small tenement.	Rejection.	Against Executors and Administrators.	Governor.	Total.
1867.																								
April	1,046	127	200	189	39	309	96	45	171	3	3	7	209	50	52	...	56	...	34	2	6	...	3	2,652
May	975	136	194	197	34	272	88	45	178	2	9	11	205	59	61	...	61	2	48	1	2	...	2	2,506
June	629	89	138	102	21	221	43	25	134	2	3	2	143	39	93	...	46	...	19	...	3	2	...	1,696
July	1,410	185	312	252	39	427	118	54	282	6	9	13	312	80	68	1	71	2	42	...	12	...	7	3,702
August	1,143	145	246	165	45	317	114	45	390	2	4	9	242	56	57	2	66	1	40	...	16	4	3	3,115
September	1,488	179	313	225	51	496	141	84	290	4	14	12	331	68	100	3	86	...	59	...	3	1	...	3,839
October	211	18	60	46	9	69	30	11	38	3	...	5	68	10	14	2	22	...	23	...	6	...	...	660
November	571	85	178	111	27	236	106	24	93	7	5	8	205	38	45	...	73	3	23	...	2	...	2	1,692
December	726	124	195	127	29	280	89	16	144	3	2	7	171	42	43	1	55	...	34	...	7	...	...	2,005
1868.																								
January	911	155	230	180	47	390	148	43	188	6	6	2	244	62	68	3	67	2	21	2	8	2	...	2,791
February	1,008	177	234	167	40	372	127	25	180	11	7	12	184	73	74	2	69	...	36	1	2	...	...	2,805
March	1,311	201	268	196	34	381	138	38	233	3	5	6	158	77	43	7	63	2	28	...	6	...	1	3,008
Total	11,279	1,624	2,564	1,887	415	3,826	1,338	400	2,261	52	67	94	2,470	660	658	21	735	12	401	6	71	9	21	30,941

CALCUTTA COURT OF SMALL CAUSES,
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge and Clerk of the Court.

No. VIII.

STATEMENT showing the Statistics of the District Department of the Court under Act VII. of 1847, from 1st April 1867 to 31st March 1868.

MONTHS.	District compromised before appraisement.	Sales.	Distress set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distress set aside after appraisement.	Total number of distresses for rent.	Amount of rent for which distresses were made.			Commission and Fees deposited.			Commission and Fees credited to Government.			Remarks.
								Ra.	Aa.	P.	Ra.	Aa.	P.	Ra.	Aa.	P.	
1867.																	
April ..	5	2	.....	.....	3	.....	10	1,942	14	0	268	0	0	80	0	0	
May ..	8	.....	.....	.....	3	.....	11	1,248	15	0	183	8	0	227	4	0	
June ..	10	3	.....	.....	.....	.....	13	1,546	14	6	224	8	0	90	12	0	
July ..	9	3	.....	.....	.....	.....	12	1,889	0	0	261	12	0	191	12	0	
August ..	7	2	.....	.....	.....	.....	10	799	0	0	125	0	0	46	8	0	
September ..	19	.....	.....	.....	3	1	23	1,028	15	6	164	0	0	62	8	0	
October ..	5	1	.....	.....	1	.....	7	1,314	4	0	183	0	0	54	4	0	
November ..	12	3	.....	.....	3	.....	18	1,222	6	9	188	8	0	56	0	0	
December ..	7	2	.....	.....	1	.....	10	742	8	0	111	8	0	103	12	0	
1868.																	
January ..	9	.....	.....	.....	4	.....	13	1,111	0	0	169	0	0	90	4	0	
February ..	12	5	.....	.....	1	.....	18	2,381	3	3	341	4	0	87	12	0	
March ..	11	1	.....	.....	.....	.....	12	838	12	0	128	4	0	543	12	0	
Total Rupees ..	114	22	.....	.....	20	1	157	16,010	13	0	2,348	4	0	1,614	8	0	1,639 8 0

CALCUTTA COURT OF SMALL CAUSES,
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge and Clerk of the Court.

STATEMENT showing the amount of Fines from 1st April 1867 to 31st March 1868.

YEARS.	MONTHS.	AMOUNT.
1867	April	5 0 0
	May	4 0 0
	June ... ..	.....
	July	18 0 0
	August	30 0 0
	September	17 0 0
	October	1 0 0
	November	2 0 0
	December	39 0 0
1868	January	15 0 0
	February ... ..	.....
	March	15 8 0
	Total Rupees	141 8 0

CALCUTTA COURT OF SMALL CAUSES, }
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge and Clerk of the Court.

STATEMENT showing the Salaries of the Judges, Cost of the Establishment, and House-rent from 1st April 1867 to 31st March 1868.

MONTHS.	Salaries of the Judges.	Establishment Charges.	House-rent.	TOTAL.
1867.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
April	5,600 0 0	6,375 5 6	800 0 0	12,775 5 6
May	5,600 0 0	6,326 13 0	800 0 0	12,726 13 0
June	5,600 0 0	6,348 6 3	800 0 0	12,748 6 3
July	5,600 0 0	6,313 7 0	800 0 0	12,713 7 0
August	5,600 0 0	6,382 1 5	800 0 0	12,782 1 5
September	5,600 0 0	6,361 7 5	800 0 0	12,761 7 5
October	5,600 0 0	6,271 10 3	800 0 0	12,671 10 3
November	5,741 10 8	6,348 2 3	800 0 0	12,889 12 11
December	5,893 8 9	6,276 4 6	800 0 0	12,969 13 3
1868.				
January	5,900 0 0	6,180 5 3	800 0 0	12,880 5 3
February	6,312 8 5	6,701 3 3	800 0 0	13,813 11 8
March	7,038 5 3	6,706 0 9	800 0 0	14,544 6 5
Total Rupees ...	70,086 1 6	76,591 2 10	9,600 0 0	1,56,277 4 4

CALCUTTA COURT OF SMALL CAUSES, }

R. S. T. MACEWEN,

The 9th May, 1868.

Offg. 5th Judge and Clerk of the Court

No. XI.

STATEMENT showing the amount of Costs remitted and unrecovered from 1st April 1867 to 31st March 1868.

MONTHS.		Pauper suits.	Costs remitted.		Costs of attachments ordered, but not applied for.		Fees for second summons ordered, but not applied for.		Fees for contempt processes ordered against witnesses, but not applied for.	Total.	REMARKS.
		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.		
1867.											
In April	...	820 1 9	47 15 6	.....	.....	109 6 0	.....	.....	Rs. As. P. 977 7 3		
" May	...	1,272 9 3	66 3 0	.....	.....	49 12 0	.....	.....	1,388 8 3		
" June	...	205 12 6	65 0 6	.....	.....	6 2 0	.....	.....	276 15 0		
" July	...	708 3 9	47 12 6	.....	.....	48 10 0	.....	0 2 0	804 12 3		
" August	...	421 11 9	47 1 0	13 0 0	13 0 0	119 8 0	.....	0 6 0	601 10 9		
" September	...	599 11 9	32 10 0	0 10 0	0 10 0	10 2 0	.....	0 6 0	643 7 9		
" October	...	136 7 3	38 0 6	.....	.....	6 0 0	.....	.....	180 7 9		
" November	...	846 14 6	94 5 0	0 12 0	0 12 0	4 4 0	.....	0 8 0	946 11 6		
" December	...	271 11 0	4 11 9	.....	.....	4 12 0	.....	.....	281 2 9		
1868.											
" January	...	591 8 3	57 10 0	.....	.....	3 8 0	.....	.....	652 10 3		
" February	...	782 8 9	77 0 6	.....	.....	.....	.....	.....	859 9 3		
" March	...	186 7 6	17 0 0	.....	.....	0 12 0	.....	0 8 0	204 11 6		
Total Rupees		6,943 12 0	595 6 3	14 6 0	14 6 0	362 12 0	1 14 0	1 14 0	7,818 2 3		

CALCUTTA COURT OF SMALL CAUSES,
 The 9th May, 1868.

R. S. T. MACEWEN,
 Offg. 5th Judge and Clerk of the Court.

No. XII.

STATEMENT showing the net amount credited to Government in the Cash Accounts from 1st April 1867 to 31st March 1868.

MONTHS.	Commission and Fees.			Fines.			Unclaimed Suitors' money.			Savings from Salaries, sale of old Records, &c.			Total amount credited.		
	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.	Rs.	As.	P.
1867.															
April	17,321	0	9	5	0	0	1,153	12	4	0	6	0	18,480	3	1
May	19,445	1	6	4	0	0	155	9	9				19,604	11	8
June	12,623	1	6				273	10	9				12,896	12	3
July	24,532	9	3	13	0	0	513	8	7				25,059	1	10
August	21,598	9	9	30	0	0	518	5	9				22,146	15	6
September	23,623	12	3	17	0	0	744	6	0				24,390	2	3
October	5,861	10	9	1	0	0	241	0	6				6,103	11	3
November	16,156	8	0	2	0	0	339	6	0				16,497	14	0
December	14,722	2	6	39	0	0	317	3	3	2	8	0	15,080	13	9
1868.															
January	18,172	6	6	15	0	0							18,187	6	6
February	19,664	8	9										19,664	8	9
March	18,453	1	0	15	8	0				15	0	0	18,483	9	0
Total Rupees...	2,12,179	8	6	141	8	0	4,256	14	11	17	14	0	2,16,595	13	5

CALCUTTA COURT OF SMALL CAUSES, }
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge and Clerk of the Court.

STATEMENT of Indigent Debtors relieved from 1st April 1867 to 31st March 1868, prepared in conformity with Mr. Secretary Eden's letter No. 873T, dated 1st October, 1863.

DATE AND MONTH.	NAMES OF PARTIES RELIEVED.	AMOUNT PAID.		
		Rs.	As.	P.
1867.				
11th April	Jeetnee Bewah	2	0	0
4th July	Mrs. Thomson	13	15	3
6th August	Jeetnee Bewah	2	0	0
8th Ditto	Ditto	4	0	0
16th Ditto	Ditto	10	0	0
30th Ditto	Anundo Raur	1	0	0
24th September	Mrs. Augier	40	0	0
Ditto	Money Bewah	31	14	0
1868.				
23rd March	Mr. H. Randle	4	0	0
	Total Rupees	108	13	3

CALCUTTA COURT OF SMALL CAUSES, }
The 9th May, 1868.

R. S. T. MACEWEN,
Offg. 5th Judge and Clerk of the Court.

(RESOLUTION.)

JUDICIAL.

Fort William, the 8th August 1868.

READ a letter No. 14, dated the 9th May 1868, from the Judges of the Calcutta Court of Small Causes, submitting the Annual Report on the business of the Court for the year 1867-68.

1. The following Tabular Statement exhibits a comparison between the results of the Court's operations during the year and the twelve months preceding it:—

	For 1867-68.	For twelve months ending 31st March 1867.	Increase.	Decrease.
Number of cases instituted ...	30,214	37,204	...	6,990
Amount in litigation ...	Rs. 16,45,704	Rs. 19,11,384	...	Rs. 2,65,680
Receipts on account of fees, &c... ..	„ 2,16,595	„ 2,28,554	..	„ 11,959
Cost of Establishment, &c. ...	„ 1,56,277	„ 1,53,698	Rs. 2,579	...
Surplus ...	„ 60,318	„ 74,856	...	„ 14,538
Cases decided <i>ex parte</i> for plaintiff.	6,368	7,785*	...	1,417
Dismissed ...	1,565	1,606	...	41
Non-suited ...	3,698	4,067	...	369
Compromised ...	9,552	11,107	...	1,555
Struck off on default ...	3,018	3,437	...	419
Pending at close of year ...	1,039	1,666†	...	627
Cases above Rupees 1,000 ...	39	47	...	8
Ratio of English to Native cases.	1 to 3.58	1 to 4.43	..	...
Referred to arbitration ...	266	347	...	81
Cases in which attorneys appeared for parties ...	237	321	...	84
Cases in which parties appeared in person ...	27,060	31,659	...	4,599
Distresses for rent ...	157	380	...	123
Fines ...	Rs. 141	Rs. 306	...	Rs. 65

* This and the following items (not specially excepted) in column 2 are actuals for eleven months ending March 31st, 1867, plus 1st to make up a year.
† Actuals of eleven months ending March 31st, 1867.

2. The general result is a very considerable falling off in the work of the Court and in its receipts.

3. From the Table given in paragraph 7 of the Judge's letter, it appears that nearly the whole of the decrease has taken place in native suits for petty sums; and its cause is said to be mainly the check placed during the year upon the practices of the Dulals and Mooktears, who formerly infested the Court. If this be the case, the result is not to be regretted, especially as the increase in the number of suits of the higher values shows that the Court is fully appreciated as a quickly working and inexpensive tribunal for the recovery of *bond fide* claims.

4. The revision of the Establishment which has been going on during the year has formed the subject of separate correspondence, and will, when the system of collecting the Court's dues in stamps instead of fees has been matured, result in a considerable saving to Government.

ORDERED, that a copy of the Resolution be forwarded to the Judges of the Calcutta Court of Small Causes for information.

By Order of the Lieutenant-Governor of Bengal,

H. L. DAMPTER,

Offg. Secretary to the Government of Bengal.

No. 4410.

COPY forwarded to the Judges of the Calcutta Court of Small Causes for information.

FORT WILLIAM,

The 8th August 1868. }

A. MACKENZIE,

Under-Secretary to the Govt. of Bengal.

REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES,

FOR THE YEAR 1869-70.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT OFFICE.

1870.

No. 14.

FROM THE JUDGES OF THE CALCUTTA COURT OF SMALL CAUSES,

TO THE SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Fort William, the 27th June 1870.

SIR,

We have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the 20th annual report of the business of this court for the year 1869-70, ending 31st March last.

2. The number of cases instituted in the court during the year was 34,340, being an increase of 2,661* cases as compared with the number instituted during the year ending 31st March 1869. The average number of cases for each day was 135.19.

* Instituted in 1868-69, 31,679.

3. The amount in litigation was Rs. 16,49,525-15-5. Rs. 3,90,984-11-4 were paid into, and Rs. 3,96,035-3-6 paid out of court, in satisfaction of judgments and orders. In the year 1868-69 the amount in litigation was Rs. 16,98,669-4.

4. On 1st April 1869 stamps were introduced into the court in lieu of money payments of commission and fees.

	Rs.	As.	P.	Rs.	As.	P.
The receipts for the year have been				2,32,021	2	0
From which has to be deducted—						
Salaries of the Judges	72,336	4	1			
Cost of establishment	76,527	0	0			
House rent	13,200	0	0			
Contingent expenses	3,121	5	9			
Bailiffs' commission	3,923	8	0			
				1,69,108	1	10
Balance to the credit of the court				62,913	0	2

	Rs.	A.	P.
† Receipts for 1869-70	2,32,021	2	0
Ditto 1868-69	2,27,214	8	8
Increase	4,806	9	4

5. There has been an increase of Rs. 4,806-9-4† over and above the receipts for 1868-69.

6. The following tabular statement shews the result of the cases set down for hearing during the year.

Number of cases pending from 1868-69	...	...	...	...	...	1,070
Number of cases instituted in 1869-70	...	...	...	...	...	84,940
Total	...	...	...	...	...	35,410
Decided in favour of plaintiffs after trial	...	...	...	...	...	8,632
Ditto ditto, <i>ex parte</i>	...	...	...	...	...	7,265
Dismissed after trial	...	...	...	...	...	1,414
Non-suited ditto	...	...	...	...	...	3,385
Compromised	...	...	...	...	...	10,505
Struck off in default of plaintiffs	...	...	...	...	...	2,035
Total number of cases disposed of	...	...	...	...	...	31,256
Pending at the close of the year	...	...	...	...	...	1,154*

7. The institutions during the year include 40 cases for sums exceeding Rs. 1,000; in 1 case Rs. 2,200 was abandoned; in 3 other cases amounts ranging from Rs. 300 to Rs. 500; in 19 cases amounts between Rs. 100 and Rs. 300; and in the remaining 17 cases sums less than Rs. 100 were abandoned to bring the suits within the jurisdiction of the court.

8. The following comparative table exhibits the classes of cases which have increased and decreased during the year.

Class of cases.				For 1868-69.	For 1869-70.	Increase.	Decrease.
Under	...	...	Rs. 10	12,689	11,436	1,767	...
Ditto	...	...	" 20	6,656	7,044	388	...
Ditto	...	...	" 50	6,094	6,619	525	...
Ditto	...	...	" 100	2,508	2,762	194	...
Ditto	...	...	" 200	1,723	1,617	...	106
Ditto	...	...	" 300	655	657	2	...
Ditto	...	...	" 400	355	334	...	21
Ditto	...	...	" 500	260	250	...	10
Ditto	...	...	" 600	168	180	22	...
Ditto	...	...	" 700	151	127	...	24
Ditto	...	...	" 800	103	110	2	...
Ditto	...	...	" 900	90	65	...	25
Ditto	...	...	" 1,000	125	69	...	34
Above	...	...	" 1,000	48	40	...	8
Total increase	...	...	...	...	...	...	2,000
Deduct decrease	...	...	...	...	...	...	230
Net increase	...	...	...	...	...	...	2,661

9. It will be seen from this table that there has been an increase of 2,661 cases, showing an average increase on the whole of 221 cases a month.

10. A new statement, No. 16, shewing the number of after-judgment processes applied for and how executed, will be found in the appendix. The number of executions issued during the year under report has exceeded that of the previous year by 1,450. From the statement it will be seen that of 8,670 executions applied for in 1869-70, money was realized fully or partially in 5,282 cases (columns 3 and 4), and that of the remaining writs, 684 (column 6) were not carried into execution by the parties themselves; thus leaving only 2,539 of the entire number entrusted to the bailiffs of the court for realization unproductive. We consider these results very satisfactory, shewing 68.2 as the percentage of realized judgments in cases in which execution has issued within the local limits of the court's jurisdiction. We think it may in a great measure be attributed to the new rule, under which the bailiffs receive the warrant fees by way of commission on all executed writs, and to a stricter supervision over this department of the court.

* Partly heard and adjourned	...	...	...	...	...	237
Instituted in 1869-70, returnable in 1870-71	...	...	...	...	...	897
Total	...	...	...	...	...	1,134

11. A few of the forms of statements in the appendix have been modified, and one statement (formerly No. 11) has been entirely omitted to meet the altered state of circumstances consequent on the introduction of stamps.

We have the honor to be,

SIR,

Your most obedient servants,

G. S. FAGAN,

N. H. THOMSON,

E. D'ACOSTA,

KOONJO LALL BANERJEE,

Judges of the Calcutta Court of Small Causes.

No. 1.—PART I.

Abstract statement of the statistics of the Calcutta Court of Small Causes for the twentieth year of its institution, from 1st April 1869 to 31st March 1870.

MONTH.	NUMBER OF SUITS INSTITUTED.		The English cases bear to the Native cases the ratio of	Number of summonses issued.	Number of second summonses issued.	Number of subpoenas issued.	Number of attachments issued.	Number of writs of execution issued.	Number of bench warrants issued.	Number of copies of judgments issued.	Number of commitments issued.	Number of releases issued.	Number of cases referred to arbitration.	Number of warrants to sue and defend filed.	Number of cases in which parties appeared by attorney.	Number of cases in which parties appeared in person.	Number of days in which the court was open.	Average number of suits instituted daily.	Amount litigated in suits instituted.	Re. At. P.	
	English.	Native.																			
1869.																					
April	593	2,254	2,756	449	3,490	129	2,489	3	658	...	51	26	27	59	471	16	455	2,338	95	1102	1,42,156 11 4
May	628	2,325	2,953	870	3,850	110	2,757	3	647	2	56	32	32	48	387	17	370	2,478	25	1181	1,40,467 2 6
June	610	2,279	2,889	873	3,682	149	2,837	1	721	...	89	26	19	77	426	23	408	2,512	24	1203	1,44,410 3 7
July	600	2,630	3,290	398	4,196	144	3,265	1	739	...	44	40	35	68	449	30	419	2,533	24	13708	1,65,227 15 0
August	602	3,113	3,505	449	4,883	128	3,512	4	804	...	49	42	47	70	554	43	511	3,370	24	1685	1,71,509 14 8
September	833	3,774	4,607	453	5,801	99	3,114	3	1,070	...	57	42	35	100	760	44	716	3,687	26	1771	2,15,928 11 10
October	76	325	403	416	520	20	602	...	338	...	11	45	58	19	313	9	294	870	7	575	24,374 8 2
November	426	1,443	1,869	338	2,313	43	1,386	...	478	...	23	5	10	13	103	10	183	1,064	13	1437	93,100 4 3
December	428	1,679	2,107	392	2,672	85	1,940	...	615	1	28	33	27	63	376	22	354	2,067	17	1239	1,08,008 2 11
1870.																					
January	590	2,776	3,366	470	4,259	136	2,758	...	847	...	55	21	18	68	489	29	480	2,638	24	1402	1,58,840 11 0
February	616	2,417	3,033	392	3,830	110	2,631	3	818	1	43	33	35	63	630	21	609	2,203	21	1444	1,25,977 8 0
March	632	2,630	3,262	416	4,069	118	2,760	1	812	...	55	22	26	54	640	39	601	2,080	24	1359	1,50,539 2 2
Total	6,695	27,945	34,640	412	43,658	1,256	30,229	16	8,651	4	511	387	307	700	5,677	300	5,377	28,579	254	13519	10,40,526 15 5

The court was closed on account of Sundays
Christian Holidays, New Year's Day, Christmas Day, and Her Majesty's Birth Day ... 52
Vacation in December ... 3
Hindoo holidays ... 9
... 47

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MACLEWEN,
Offg. 5th Judge and Clerk of the Court.

Total number of days in which the Court was closed ... 111
Number of sitting days ... 254
Total ... 365

No. 1.—PART II.

Abstract statement of the statistics of the Calcutta Court of Small Causes for the twentieth year of its institution, from 1st April 1869 to 31st March 1870.

Month.	GRADUATED DIGEST OF CASES INSTITUTED.										DISPOSAL OF SUITS SET DOWN FOR HEARING.					Commission and fees paid in stamps on suits instituted.	Amount of half cost refunded to suitors in cases compromised by order of the Judge.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																							
	Under Rs. 10.	Under Rs. 20.	Under Rs. 50.	Under Rs. 100.	Under Rs. 200.	Under Rs. 300.	Under Rs. 400.	Under Rs. 500.	Under Rs. 600.	Under Rs. 700.	Under Rs. 800.	Under Rs. 900.	Under Rs. 1,000.	Above Rs. 1,000.	Total.			Judgment for plaintiff.	Judgment for defendant.	Struck off.	Non-suited.	Compromised.	Pending.	Total.																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																																
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B CALCUTTA COURT OF SMALL CAUSES,

R. S. T. MACLEWEN,

The 27th June 1869.

Offg. 5th Judge and Clerk of the Court.

Comparative table of causes set down for hearing from the 1st of April 1868 to 31st March 1869, and from 1st April 1869 to 31st March 1870, showing how disposed of

	April	May	June	July	August	September	October	November	December	January	February	March	Total
	1868	1868	1868	1868	1868	1868	1868	1868	1868	1869	1869	1869	1868-70
Judgment for plaintiffs	1,128	1,149	1,052	1,060	1,135	1,014	1,173	1,144	1,743	1,080	2,190	3,200	15,376
Ditto for defendants	123	113	148	117	137	137	212	115	144	117	179	167	1,444
Non-suited and struck out	579	512	477	447	604	478	777	444	636	724	777	573	6,908
Compromised	758	800	690	711	927	873	1,173	910	937	244	843	1,375	10,595
Undecided, postponed after being called for hearing.													
In 1868-69	1,070												
" 1869-70	1,154												
Total	2,586	2,540	2,376	2,605	2,631	2,638	3,776	2,626	3,001	3,024	779	4,447	31,648

Postponed after being partly heard
Instructions and the case at the

car the record date, taken in April 1870

27
57
114

CALCUTTA COURT OF SMALL CAUSES,

R. S. T. MACLEWEN,

The 27th June 1870.

Offy 5th Judge and Clerk of the Court.

No. 3.

Statement shewing the number of cases pending on the 31st March 1870.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.							Instituted but not returnable till after close of the year.	Grand total.
	For service of summons.	For witnesses.	For attachments.	At the request of the parties to the suits.	Referred to arbitration.	By order of the court.	Total.		
1st Judge	0	5	.....	20	8	6	51	.....	.....
2nd Judge	11	6	.....	0	10	10	40	.....	.....
3rd Judge	17	5	.....	5	28	15	70	.....	.....
4th Judge	9	3	.....	11	23	29	75	.....	.....
5th Judge	1	4	.....	1	4	2	13	897	.....
Total	44	23	...	40	70	62	257	807	1,154

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MAC EWEN,
Offg. 5th Judge and Clerk of the Court.

No. 4.

Abstract statement of cases set down for hearing and disposed of from 1st April 1869 to 31st March 1870.

MONTHS.	Judgment for plaintiffs.	Judgment for defendants.	Struck out.	Non-suited.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.
1869.								
April	1,240	119	214	208	800	2,802	.....	2,756
May	1,325	117	183	284	930	2,865	.....	2,933
June	1,450	137	309	309	873	2,938	.....	2,880
July	1,473	115	231	213	910	2,082	.....	3,290
August	1,783	163	203	426	1,240	3,024	.....	3,905
September	2,000	185	327	470	1,375	4,417	.. ..	4,607
October	540	49	120	99	350	1,173	.....	403
November	616	44	152	117	327	1,256	... ..	1,800
December	1,117	103	244	239	720	2,443	.....	2,107
1870.								
January	1,396	143	307	326	926	3,137	.....	3,306
February	1,354	119	233	275	937	2,923	.. ...	3,033
March	1,499	145	312	319	1,004	3,339	1,154	3,202
Total	15,807	1,444	2,035	3,885	10,595	34,266	1,154	34,340

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MAC EWEN,
Offg. 5th Judge and Clerk of the Court.

No 5.

Comparative statement of Commission and Fees realized and credited to Government in 1868-69 and in 1869-1870.

MONTHS	1868 69	MONTHS	1869 70	Total increase of fees in 1869 70	Total decrease of fees in 1869 70	REMARKS
	On account of fees received with institution in suits and in account of districts for rent		On account of fees received in the matter of suits and in account of districts for rent			
1868	Rs As P	1869	Rs As P	Rs As P	Rs As P	
In April	20 680 14 6	In April	27 460 7 0	6 779 8 6		
May	18 471 15 0	May	20 104 9 3	1 633 1 6		
June	19 543 4 0	June	18 085 15 6		1 458 5 4	
July	21 433 12 0	July	21 806 1 6		2 373 10 6	
August	10 615 6 9	August	23 331 11 0	3 517 4 9		
September	15 706 10 3	September	26 339 8 0	7 511 11 9		
October	6 907 15 6	October	2 433 0 0		4 474 15 6	
November	22 423 11 0	November	12 116 10 9		10 307 0 3	
December	1 410 9 0	December	13 713 11 0		1 303 11 0	
1870		1870				
In January	18 701 1 3	In January	20 315 1 6	3 614 1 3		
February	17 170 9 9	February	16 033 3 6		2137 7 3	
March	21 853 11 1	March	21 379 1 0		574 10 1	
Total	2,56,844 11 4	Total	2,74,097 7 3	17,253 10 3	16,011 11 9	
		Indirect increase		16,911 11 3		
		Net increase		3,411 1 0		

(Or an increase of 16,911 11 3 out of the 17,253 10 3)

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870

R S T MACLEWEN,
Offg. 5th Judge and Clerk of the Court

No 6

Abstract statement of sums received from, and paid out to suitors and others from 1st April 1869 to 31st March 1870

1869			1870		
	Rs	As P		Rs	As P
To cash received on account of suitors &c in April	2	30 4	By cash paid out to suitors &c in April	11	51 7 0
Ditto ditto May	33	55 7 8	Ditto ditto May	17	113 2 2
Ditto ditto June	15	52 14 0	Ditto ditto June	36	01 17 9
Ditto ditto July	30	905 6 4	Ditto ditto July	31	10 0 1
Ditto ditto August	14	352 0 3	Ditto ditto August	4	170 0 5
Ditto ditto Sept	53	150 8 9	Ditto ditto September	47	707 10 4
Ditto ditto Oct	10	164 17 3	Ditto ditto October	17	594 8 6
Ditto ditto Nov	19	681 4 6	Ditto ditto November	10	512 2 0
Ditto ditto Dec	26	188 4 10	Ditto ditto December	27	110 2 0
1870			1870		
Ditto ditto Jan	38	513 9 7	Ditto ditto January	20,127	13 4
Ditto ditto Feb	12	162 13 11	Ditto ditto February	31	031 0 2
Ditto ditto March	11	154 3 10	Ditto ditto March	38	206 8 6
Total	1,00,084	11 4	Total	3,00,035	3 6

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870

R S T MACLEWEN,
Offg. 5th Judge and Clerk of the Court.

No. 7.

Table showing the nature of cases heard and decided from 1st April 1869 to 31st March 1870.

MONTHS.	Goods sold and delivered.	Bills of Exchange and Promissory Notes.	Wages.	Work and labor.	Money paid.	Money lent.	Money had and received.	Account stated.	Use and occupation.	On judgment.	Guarantee &c.	Partnership balance.	Other actions on contract.	Trover.	Actions on the case.	Trespass to property.	Assault.	Replevin.	Interpleader claim.	Recovery of small tenements.	Ejectment.	Assumpsit, executors and administrators.	Covenant.	TOTAL.	
1869.																									
April	1,080	215	208	171	57	355	101	40	231	4	7	18	121	47	51	2	64	...	31	5	3	...	1	2,809	
May	1,081	166	244	209	28	102	90	39	233	3	2	1	156	55	59	1	55	...	33	3	5	1	...	2,865	
June	1,041	135	236	192	32	44	132	53	204	5	11	12	100	52	64	1	75	...	37	4	2	...	1	2,398	
July... .. .	1,007	221	219	219	24	428	81	61	271	7	7	6	128	69	49	3	65	...	45	2	...	...	...	2,962
August	1,605	282	312	265	35	615	134	37	318	5	12	6	162	54	70	8	63	...	50	1	5	1	...	3,406	
September .. .	1,769	264	321	275	33	678	165	71	374	0	11	6	182	70	69	...	80	...	40	6	8	...	...	4,147
October	413	92	84	100	15	135	48	15	97	8	5	9	72	17	38	...	22	...	9	1	2	2	...	1,173	
November	400	104	131	91	13	138	44	16	117	3	5	3	64	33	28	...	20	...	15	2	...	...	...	1,256
December	1,030	180	109	115	45	234	4	92	32	212	6	9	5	90	53	40	2	32	...	27	2	2	2	...	2,443
1870.																									
January	1,145	278	240	199	71	449	134	55	257	1	4	6	120	56	52	1	54	...	33	5	6	2	...	3,157	
February	1,113	239	260	164	39	351	111	36	256	8	10	6	107	69	55	...	43	4	30	1	2	...	...	2,923
March	1,231	247	317	219	69	431	110	53	274	5	12	7	108	53	49	1	68	...	47	4	2	...	...	3,399
Total	13,041	2,433	2,775	2,298	411	4,570	1,232	498	2,954	50	97	79	1,419	590	600	10	650	4,415	30	32	8	2	31,256		

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MAC EWEN,
Offg. 5th Judge and Clerk of the Court.

No. 8.

Statement showing the statistics of the distraint department of the court under Act VII. of 1847, Act IX. of 1850, and Act XXVI. of 1864, from 1st April 1869 to 31st March 1870.

MONTHS.	Distraint comprised before appraisalment.	Sales.	Distraint set aside before appraisalment.	Unexecuted.	Compromised after appraisalment.	Distraint set aside after appraisalment.	Total number of distresses for rent.	Amount of rent for which distresses were made.	Commission and fees deposited.
1869.								Rs. As. P.	Rs. As. P.
April	3	3	.....	...	...	.....	6	1,042 0 0	145 0 0
May	6	.....	.....	...	2	.....	8	646 8 0	100 12 0
June	7	2	.....	...	1	.....	10	524 14 3	64 0 0
July	15	.....	.....	.....	2	.....	17	919 12 0	160 12 0
August	10	3	.....	.....	4	.....	17	1,876 7 6	278 8 0
September	12	4	.....	.....	1	.....	17	2,106 14 0	313 8 0
October	3	1	.....	1	1	.....	6	809 15 0	103 0 0
November	11	.....	.....	.....	.....	.....	11	1,790 14 0	246 4 0
December	8	3	.....	.....	1	.....	12	1,362 80	199 0 0
1870.									
January	12	6	.....	.....	5	.....	25	2,619 0 3	375 12 0
February	16	6	.....	.....	3	.....	25	1,921 13 6	292 0 0
March	16	12	.....	.....	2	.....	30	3,048 7 04	449 0 0
Total	119	42	.....	1	22	.....	194	1,89 35 1 61	2,747 8 0

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MAC EWEN,
Offg. 5th Judge and Clerk of the Court.

No. 9.

Statement shewing the amount of fines from 1st April 1869 to 31st March 1870.

Months.	1869.	Amount. Rs. As. P.	Months.	1870.	Amount. Rs. As. P.
April ...		34 12 0	December ...	1870.	10 0 0
May ...		16 14 0	January ...		16 0 0
June ...		16 12 0	February ...		10 2 0
July ...		5 8 0	March ...		21 0 0
August ...		17 10 0			
September ...		17 0 0			
October ...		4 0 0			
November ...		0 0 0			
			Total ...		169 10 0

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.R. S. T. MacEWEN,
Offg. 5th Judge and Clerk of the Court.

No. 10.

Statement shewing the salaries of the Judges, cost of the establishment, house-rent, contingent and other charges, from 1st April 1869 to 31st March 1870.

MONTHS.	Salaries of the Judges.	Establish- ment charges.	House rent.	Commission allowed to Bailiffs.	Contingent charges.	Total.
1869.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
April ...	6,000 0 0	6,372 13 6	1,100 0 0	279 10 0	712 5 6	14,464 18 0
May ...	6,000 0 0	6,225 14 9	1,100 0 0	252 0 0	212 10 0	13,829 9 3
June ...	6,000 0 0	6,128 9 3	1,100 0 0	306 13 0	262 10 3	13,796 0 0
July ...	6,000 0 0	6,159 9 0	1,100 0 0	310 7 0	161 10 6	13,731 11 0
August ...	6,000 0 0	6,583 5 0	1,100 0 0	0 0 0	139 3 3	13,822 8 3
September ...	6,000 0 0	6,531 15 0	1,100 0 0	812 12 0	229 12 9	14,665 8 3
October ...	6,000 0 0	6,574 1 6	1,100 0 0	431 2 0	132 3 8	14,240 6 0
November ...	6,000 0 0	6,529 13 0	1,100 0 0	0 0 0	159 7 6	13,800 4 6
December ...	6,000 0 0	6,524 9 6	1,100 0 0	0 0 0	127 13 0	13,552 6 0
1870.						
January ...	6,061 1 1	6,334 5 6	1,100 0 0	818 10 0	472 15 0	14,787 3 1
February ...	6,100 0 0	6,320 15 0	1,100 0 0	332 4 0	199 6 0	13,962 9 9
March ...	6,175 0 0	6,313 0 0	1,100 0 0	346 11 0	469 3 0	14,464 1 0
Total ...	72,230 4 1	76,527 0 0	13,200 0 0	3,923 8 0	3,121 5 9	1,69,108 1 10

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.R. S. T. MacEWEN,
Offg. 5th Judge and Clerk of the Court.

No. 11.

Statement shewing the net amount credited to Government from 1st April 1869 to 31st March 1870.

MONTH.	Commission and fees paid in stamps, &c.	Fine.	Unclaimed suits' money.	Saving and refunded charges.	Total amount credited.
1869.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
April ...	27,150 7 0	34 12 0	1,684 14 9	0 0 0	29,184 1 9
May ...	20,000 3 3	18 14 0	368 8 3	0 0 0	20,391 9 0
June ...	18,983 15 6	16 12 0	375 7 0	0 0 0	19,376 2 6
July ...	21,806 1 0	5 8 0	430 12 4	13 8 0	22,255 13 10
August ...	23,331 11 0	17 10 0	420 3 9	0 0 0	23,769 9 9
September ...	26,318 6 0	17 0 0	662 12 6	0 0 0	27,028 2 6
October ...	2,663 0 9	1 6 0	174 5 0	0 0 0	2,741 3 9
November ...	12,136 10 9	0 0 0	185 8 6	0 0 0	12,323 0 3
December ...	16,711 11 6	10 0 0	347 7 0	0 0 0	15,072 2 6
1870.					
January ...	20,898 15 6	16 0 0	0 0 0	0 0 0	20,984 15 6
February ...	16,829 3 6	10 2 0	0 0 0	0 0 0	16,949 5 6
March ...	21,378 1 0	21 0 0	1,143 11 8	0 0 0	22,542 15 8
Total Rs.	2,26,040 7 3	169 10 0	5,797 8 9	13 8 0	2,32,021 2 0

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.R. S. T. MacEWEN,
Offg. 5th Judge and Clerk of the Court.

No. 12.

Statement of indigent debtors relieved from 1st April 1869 to 31st March 1870, prepared in conformity with Mr. Secretary Eden's letter No. 873T, dated 1st October 1863.

Date & month.	Names of parties relieved.	Amount paid.	Date & month.	Names of parties relieved.	Amount paid.
		Rs. As. P.			Rs. As. P.
10th April 1869	C. F. Frazer	9 12 0	27th July 1869	Brought forward	78 7 0
17th " "	J. R. DuCosta	10 0 0	20th Aug. "	E. J. Robertson	10 0 0
19th " "	John Gasperre	7 3 6	31st " "	C. Wittenbaker	7 1 0
22nd May	Bissessawee Raur	0 0 0	8th Oct. "	C. W. Baker	78 10
2nd June	Shank Radul	15 2 0	7th Dec. "	J. Gomes	10 0 0
22nd " "	John Gomes	5 0 0	14th Jan. 1870	Galla	1 0 0
1st July	Idido	5 0 0	16th Feb. "	A. M. Hanany	9 6 0
10th " "	Mrs. H. Williams	5 6 0	16th Feb. "	Codum Beebee	5 6 0
15th " "	Charles Frazer	15 0 0	12th Mar. "	J. Gomes	16 0 0
	Carried over	78 7 0	30th " "	Mrs. S. Rustin	10 0 0
				Total Rs.	163 15 0

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1870.

R. S. T. MACEWEN,

Offg. 5th Judge and Clerk of the Court.

No. 13.

Statement of the number of ex-parte cases disposed of by the Judges of the Calcutta Court of Small Causes from 1st April 1869 to 31st March 1870.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1869.						
April	26	73	106	160	140	505
May	131	123	27	187	135	603
June	101	188		227	131	647
July	90	147	47	227	181	692
August	69	107	181	205	211	773
September	42	127	273	239	252	933
October	18	35	75	64	82	272
November	26	41	89	70	67	293
December	21	71	205	155	86	538
1870.						
January	31	111	246	216	81	685
February	22	80	170	170	148	690
March	26	83	102	166	104	681
Total	606	1,187	1,637	2,068	1,740	7,238

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1870.

R. S. T. MACEWEN,

Offg. 5th Judge and Clerk of the Court.

	1st Year, 1850-51.	2nd Year, 1851-52.	3rd Year, 1852-53.	4th Year, 1853-54.	5th Year, 1854-55.	6th Year, 1855-56.	7th Year, 1856-57.	8th Year, 1857-58.	9th Year, 1858-59.
	No.	No.	No.	No.	No.	No.	No.	No.	No.
Number of cases (English)	4,107	4,344	4,706	4,307	4,492	5,017	6,251	5,534	5,450
Instituted (Native)	16,916	23,203	22,095	20,058	20,201	21,421	22,412	23,009	24,506
Total	21,323	27,547	26,801	24,365	24,693	27,038	28,663	28,543	29,956
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
Amount litigated	4,47,581 0 0	5,31,199 12 4	5,17,003 5 10	4,98,320 11 10	5,25,139 8 4	6,63,241 11 11	7,38,111 2 6	8,01,824 6 0	7,03,412 11 1
Commission and fees paid into court on institution of suits	59,531 14 8	73,098 8 9	73,763 13 0	73,212 14 3	76,870 7 9	90,844 10 3	1,01,461 2 0	1,12,778 12 9	1,00,200 7 6
Net amount of commission and fees credited to Government on suits	57,452 13 0	71,709 4 9	77,202 4 9	75,160 7 0	73,393 9 0	90,333 9 3	1,00,501 14 0	1,12,694 4 9	1,07,918 0 9
Ditto on distresses for rent	1,510 7 0	1,778 8 0	1,950 8 0	1,629 0 0	1,430 12 0	1,643 4 0	1,000 0 0	1,157 0 0	830 0 0
Amount credited to Government on account of fines	651 0 0	355 4 3	484 13 3	786 15 0	240 12 3	233 14 9	493 5 3	343 5 9	202 8 0
Ditto on account of unclaimed monies belonging to suitors and landlords	..	..	..	..	..	..	786 4 0	9,720 13 5	1,868 0 3
Ditto on account of savings from salaries, sale of old furniture, records, &c.	207 0 0	712 0 3	100 0 3	..	635 3 8	28 0 0	15 9 6	235 0 5	88 2 9
Net total amount credited to Government on the cash account	59,822 1 0	77,875 1 3	79,757 3 3	77,590 7 3	75,760 5 5	92,158 12 0	1,03,996 1 0	1,24,101 3 2	1,10,915 11 9
Amount paid into court under decrees, &c.	2,46,513 0 0	2,81,704 11 0	1,11,917 2 9	1,08,029 7 11	1,12,190 14 1	1,39,573 16 7	1,72,972 6 5	1,98,524 3 1	1,84,062 0 10
Amount paid out of court on account of decrees, &c.	2,33,044 0 0	3,79,756 2 9	1,12,974 4 9	1,08,112 4 6	1,11,347 0 0	1,40,190 7 3	1,70,917 14 2	1,98,633 0 10	1,81,084 3 2
	No.	No.	No.	No.	No.	No.	No.	No.	No.
Number of days on which the court was open	258	274	277	260	255	254	216	250	246
Average number of cases instituted daily	82.0	101.2	98.6	91.0	107.0	106.4	116.5	129.3	121.7
Cases under Rs. 10	12,791	18,411	17,174	15,175	15,103	15,427	16,925	17,303	16,067
Ditto „ 20	5,533	4,580	4,495	4,231	4,332	4,571	5,171	5,708	5,850
Ditto „ 50	2,442	3,275	3,726	3,085	3,104	3,723	4,088	4,117	4,743
Ditto „ 100	792	934	1,028	992	1,065	1,100	1,511	1,610	1,618
Ditto „ 200	480	586	664	578	600	731	903	932	962
Ditto „ 300	136	224	217	222	213	314	331	301	357
Ditto „ 400	86	116	69	108	130	133	173	169	172
Ditto „ 500	67	100	96	104	97	106	161	214	153
Ditto „ 600	..	..	..	..	..	..	..	..	..
Ditto „ 700	..	..	..	..	..	..	..	..	..
Ditto „ 800	..	..	..	..	..	..	..	..	..
Ditto „ 900	..	..	..	..	..	..	..	..	..
Ditto „ 1,000	..	..	..	..	..	..	..	..	..
Number of summonses issued	51,439	64,174	65,823	59,115	58,981	64,281	67,087	61,405	70,012
Ditto second summonses	..	9,306	7,574	6,605	5,085	2,036	1,887	1,724	1,308
Ditto subpoenas	18,052	23,809	21,020	19,917	18,612	20,717	22,912	22,777	23,279
Ditto attachments	..	869	1,398	803	320	474	240	415	337
Ditto writs of execution	3,919	4,064	6,039	5,243	4,459	6,474	7,108	8,078	7,694
Ditto bench warrants	..	..	157	142	79	39	89	10	14
Ditto copies of judgments	167	215	236	170	137	173	184	217	236
Ditto commitments	418	624	1,049	611	623	572	609	629	539
Warrants to sue and defend filed	2,170	3,295	2,073	3,100	3,340	4,123	4,700	5,733	4,574
Judgment for plaintiffs	8,559	10,548	9,512	8,693	8,896	11,068	2,211	13,281	12,447
Ditto defendants	688	932	1,747	1,742	1,403	1,259	1,022	1,154	1,412
Non-suited	4,172	6,551	6,632	2,761	2,548	3,028	3,204	3,250	2,986
Struck out and compromised	6,055	10,122	9,419	11,589	11,168	11,490	11,927	12,309	13,133
Undecided and pending	833	340	254	406	158	102	160	154	91
	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
Amount of half costs returned in cases compromised	10,853 5 0	9,309 11 9	6,761 9 9	12,004 15 0	11,091 2 3	11,840 0 0	12,908 6 9	14,779 13 3	14,732 0 9

CALCUTTA COURT OF SMALL CAUSES.

The 27th June 1870.

14.

Table.

10th Year, 1860-61.	11th Year, 1861-62.	12th Year, 1862-63.	13th Year, 1863-64.	14th Year, 1864-65.	15th Year, 1865-66.	16th Year, 1866-67.	17th Year, 1867-68.	18th Year, 1868-69.	19th Year, 1869-70.	20th Year, 1870-71.
No. 6,452 25,885	No. 6,524 25,233	No. 6,650 26,474	No. 6,282 27,208	No. 6,408 28,472	No. 6,820 29,128	No. 7,223 30,008	No. 6,344 27,707	No. 6,593 23,621	No. 5,912 25,707	No. 6,095 27,645
Rs. As. P. 9,55,003 0 9	Rs. As. P. 9,78,939 4 10	Rs. As. P. 11,19,418 6 0	Rs. As. P. 10,54,228 11 7	Rs. As. P. 12,10,023 6 11	Rs. As. P. 17,09,551 4 7	Rs. As. P. 20,20,994 4 3	Rs. As. P. 17,32,578 12 0	Rs. As. P. 16,45,704 4 10	Rs. As. P. 16,95,009 4 0	Rs. As. P. 16,40,521 16 5
1,33,317 7 6	1,30,217 12 6	1,58,466 0 3	1,49,670 0 6	1,64,503 15 0	2,17,400 0 6	2,53,371 3 2	2,00,904 1 6	2,11,840 2 6	2,21,082 2 3	2,45,036 14 0
1,28,902 15 3	1,30,073 3 0	1,57,258 5 3	1,49,725 12 6	1,63,728 2 0	2,12,355 13 9	2,26,622 5 9	1,96,760 7 6	2,10,540 0 0	2,21,311 4 3	2,36,040 7 3
482 12 0	1,524 8 0	11,187 4 0	1,553 8 0	1,274 12 0	1,300 8 0	2,312 12 0	2,745 4 0	1,689 8 0	1,205 4 0	
191 12 0	125 0 0	330 0 0	263 1 9	162 7 0	315 12 0	114 8 0	283 2 3	141 6 0	262 0 0	169 10 0
1,467 12 10	1,431 14 3	2,314 2 10	3,956 4 0	3,106 1 0	3,617 1 2	1,720 2 5	3,339 5 3	4,256 14 11	4,356 1 5	5,797 8 9
8 15 6	6 1 8	10 4 1	0 12 3	102 5 8	87 10 0	209 11 0	109 5 0	17 14 0	19 13 0	13 8 0
1,32,144 3 7	1,39,165 11 8	1,61,100 5 2	1,54,600 7 3	1,68,403 11 9	2,17,473 13 5	2,30,879 7 2	2,05,228 8 0	2,16,593 13 5	2,27,214 8 8	2,32,021 2 0
2,16,926 14 10	2,20,051 5 4	2,48,762 7 1	2,37,201 6 11	2,57,248 7 0	3,48,294 2 5	3,11,534 7 04	2,69,476 12 5	3,04,331 13 0	3,06,719 0 4	3,90,994 11 4
2,16,302 0 2	2,18,821 13 11	2,41,001 3 3	2,35,390 8 5	2,56,034 7 5	3,43,204 14 0	3,17,321 12 104	2,60,356 12 2	3,02,820 5 0	3,11,799 8 4	3,90,035 3 6
No. 249	No. 253	No. 259	No. 265	No. 267	No. 261	No. 263	No. 240	No. 254	No. 253	No. 254
1296	1286	1282	1267	1300	1377	1410	11146	11805	13522	13519
17,032	16,005	16,948	18,859	19,838	20,501	20,708	19,867	19,293	12,000	14,808
6,118	5,791	6,310	5,680	6,199	5,724	6,231	5,610	5,227	6,656	7,044
4,800	5,019	5,253	4,136	3,304	3,378	4,050	3,184	2,542	6,094	6,619
2,059	2,100	2,189	2,372	2,630	2,882	2,496	2,375	2,614	2,508	2,762
1,205	1,114	1,216	1,378	1,205	1,471	1,503	1,118	1,003	1,723	1,617
483	510	646	590	765	807	693	639	570	635	657
287	296	370	300	405	414	447	441	367	335	334
235	252	287	224	368	236	302	222	289	269	250
.....	.....	.....	.....	6	161	140	133	187	169	100
.....	.....	.....	.....	2	121	108	124	153	161	127
.....	.....	.....	.....	2	90	139	106	137	108	110
.....	.....	.....	.....	3	79	122	93	128	90	65
.....	.....	.....	.....	3	104	145	103	143	123	129
42,877	42,351	40,942	43,012	44,789	46,907	48,218	43,003	39,830	40,851	43,569
751	814	910	1,219	1,425	1,207	1,515	925	1,005	1,846	1,240
23,414	24,733	29,116	30,070	31,357	30,832	35,302	25,721	29,488	30,364	30,229
378	453	239	132	163	74	24	23	14	12	16
8,203	8,088	8,430	8,264	9,129	9,403	9,900	7,925	7,436	7,291	8,654
25	18	13	15	17	25	38	7	8	3	4
348	431	413	522	870	303	434	433	377	420	511
669	609	610	510	520	373	540	506	381	321	307
5,088	5,025	6,211	5,939	5,950	5,108	6,820	4,245	3,741	4,580	5,077
18,667	13,048	14,166	14,125	14,688	15,520	16,188	14,808	13,908	13,276	13,907
1,017	1,730	1,866	1,966	2,192	2,023	1,813	1,483	1,565	1,562	1,444
2,721	3,446	2,803	3,046	2,603	2,918	3,520	3,740	3,098	3,766	3,385
14,088	18,847	14,104	14,805	15,120	15,612	15,882	13,434	12,570	12,944	13,560
156	179	187	107	169	153	171	1,606	1,039	1,070	1,154
Rs. As. P. 17,886 5 3	Rs. As. P. 18,918 3 0	Rs. As. P. 22,965 14 6	Rs. As. P. 22,076 4 6	Rs. As. P. 24,071 8 0	Rs. As. P. 30,194 10 0	Rs. As. P. 35,569 3 8	Rs. As. P. 27,419 7 3	Rs. As. P. 20,462 10 3	Rs. As. P. 31,685 11 9	Rs. As. P. 28,868 6 3

R. S. T. MacEWEN,

Offg. 5th Judge and Clerk of the Calcutta Court of Small Causes.

No. 15.

Statement shewing the number of Mofussil commissions issued to the Calcutta Court of Small Causes under Section 177, Act VIII. of 1859, for the year 1869-70.

MONTHS.	Number of commissions received.	Number of commissions executed.	Number of witnesses examined.	By what Judge disposed of.
1869.				
April	19	14	9	5th Judge.
May	23	9	35	4th and 5th Judges.
June	17	6	19	4th and 5th ditto.
July	11	5	10	4th and 5th ditto.
August	18	8	17	3rd and 5th ditto.
September	19	12	19	5th Judge only
October	4	3	4	ditto.
November	18	7	15	ditto.
December	12	8	6	4th and 5th Judges.
1870.				
January	27	11	25	3rd, 4th and 5th Judges.
February	14	6	14	5th Judge only.
March	9	3	9	ditto.
Total	181	92	173	

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MACIEWEN,
Offg. 5th Judge and Clerk of the Court.

No. 16.

Statement shewing the number of After-judgment Processes issued during the year from 1st April 1869 to 31st March 1870.

Number of processes applied for	8,670
Number in which money was deposited after processes applied for, but before execution	11
Number executed (by 3 European bailiffs, 1,476; by 5 native seal bailiffs, 1,639; by 40 native body warrant bailiffs, 2,052)	5,167
Number unexecuted and returned with the remark "no goods" and "persons not found"	2,729
Number of writs applied for, but not carried into execution by the parties	684
Number pending on 31st March 1870	165
	8,670
Copies of judgments and certificates for execution out of the jurisdiction of the court	511
Total of after-judgment processes	9,181

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1870.

R. S. T. MACIEWEN,
Offg. 5th Judge and Clerk of the Court.

(RESOLUTION.)

JUDICIAL DEPARTMENT.

JUDICIAL.

Fort William, the 8th October 1870.

READ a letter No. 14, dated the 27th June 1870, from the Judges of the Calcutta Court of Small Causes, submitting the annual report of the business of the court for the year 1869-70.

1. The following is an analysis of the Court's operations as compared with the previous year:—

	For 1869-70.	For 1868-69.	Increase.	Decrease.
Number of cases instituted ...	34,340	31,679	2,661	...
Amount in litigation ...	Rs. 16,19,525	Rs. 16,98,669	...	Rs. 49,144
Total receipts on account of fees, &c., ...	„ 2,32,021	„ 2,27,214	Rs. 4,806	...
Cost of establishment, &c., ...	„ 1,69,108	„ 1,60,950	„ 8,158	...
Surplus ...	„ 62,913	„ 66,264	...	„ 3,349
Cases decided for plaintiff after trial ...	8,632	7,346	1,286	...
Ditto ditto <i>ex parte</i> ...	7,265	6,030	1,235	...
Dismissed ...	1,444	1,562	...	118
Nonsuited ...	3,385	3,766	...	381
Compromised ...	10,595	9,902	691	...
Struck off on default ...	2,935	3,042	...	107
Pending at close of year ...	1,154	1,070	84	...
Cases above Rs. 1,000... ..	40	48	...	8
Ratio of English to native cases...	1 to 4.12	1 to 4.35	...	...
Referred to arbitration ...	700	481	219	...
Cases in which attorneys appeared for parties... ..	300	243	57	...
Cases in which parties appeared in person ...	28,579	26,818	1,761	...
Number of writs of execution issued	8,651	7,291	1,363	...
Commitments ...	367	321	46	...
Sales ...	42	25	17	...
Distresses for rent ...	184	148	36	...
Fines ...	Rs. 169	262	...	93

exhibiting generally satisfactory results.

2. There is an increase of 2,661, in both English and native suits and their ratio to one another continues nearly the same. The suits for Rs. 100, and under have considerably increased in number while those above that limit have diminished. In cases above Rs. 1,000 there was a decrease of 8.

3. The aggregate receipts from commission, fees, &c., exceeded those of the previous year by Rs. 4,806, but on the other hand the charges for establishment and contingencies also increased by Rs. 8,158, leaving a diminished surplus of Rs. 62,913, or Rs. 3,349 below the receipts of the

previous year. This was in a great measure owing to the heavy charges incurred for house rent, which will cease when other accommodation is provided.

4. The Court has completed its 20th year, and during this period, although the number of suits has not increased above 59 per cent., it is a noticeable fact that the amount in litigation has advanced nearly four-fold and the fees have risen in proportion.

5. Payment of commission and fees by stamps was introduced from the commencement of the year, and no doubt the transaction of business was greatly facilitated by the change while greater security of account was obtained.

By order of the Lieutenant-Governor of Bengal,

A. EDEN,

Secretary to the Govt. of Bengal.

No. 4513.

ORDERED, that a copy of this resolution be forwarded to the Judges of the Calcutta Court of Small Causes for information.

By order of the Lieutenant-Governor of Bengal,

A. MACKENZIE,

FORT WILLIAM,

The 8th October 1870.

Offg. Junior Secy. to the Govt. of Bengal.

REPORT

OF THE

CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1877-78.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT PRESS.

1878.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Fort William, the 27th June 1878.

SIR,

We have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the Annual Report of the business of the Court for the year 1877-78 ending 31st March last.

1. The number of cases instituted in the Court during the year was 33,510, being an increase of 870 over the number instituted during the year ending 31st March 1877. The average number of cases for each day was 125.5.

2. The following comparative table shows the increase and decrease of institutions during the year:—

VALUE OF SUITS.										In 1876-77.	In 1877-78.	Increase.	Decrease.
Up to Rs.	5	...	...	...	...	...	...	...	...	7,895	7,927	332	128
"	10	...	...	...	...	...	...	...	...	6,633	6,454	179	185
"	20	...	...	...	...	...	...	...	...	6,835	6,923	88	...
"	50	...	...	...	...	...	...	...	...	6,138	6,458	320	...
"	100	...	...	...	...	...	...	...	...	2,491	2,540	49	...
"	200	...	...	...	...	...	...	...	...	1,551	1,654	103	...
"	300	...	...	...	...	...	...	...	...	583	651	68	...
"	400	...	...	...	...	...	...	...	...	368	353	15	...
"	500	...	...	...	...	...	...	...	...	165	235	70	...
"	600	...	...	...	...	...	...	...	...	167	195	28	...
"	700	...	...	...	...	...	...	...	...	108	150	42	...
"	800	...	...	...	...	...	...	...	...	87	103	16	...
"	900	...	...	...	...	...	...	...	...	45	95	50	...
"	1,000	...	...	...	...	...	...	...	...	73	70	3	...
Above	1,000	...	...	...	...	...	...	...	...	44	57	13	...
Total										33,440	33,510	70	...
Deduct decrease										...	...	...	...
Net increase										...	...	...	...

3. The amount in litigation was Rs. 17,11,118-3-11. Rs. 3,48,180-11-4 were paid into Court, and Rs. 3,38,572-5-10 were paid out of Court.

4. The receipts on account of commission and fees, &c., have been Rs. 2,21,218-12-6.

Deduct—

	Rs.	A.	P.	Rs.	A.	P.
Salaries of the Judges	64,187	0	5			
Cost of establishment	54,791	7	9			
Contingent expenses	1,333	2	6			
Bailiffs' commission	3,677	8	0			
Total	1,53,859	8	2			
Balance to the credit of the Court				67,839	4	10

5. The disposal of cases set down for hearing during the year is exhibited as follows:—

Number of cases pending in 1876-77	...	...	...	...	1,214
Ditto instituted in 1877-78	...	...	...	...	33,510
					<hr/> 34,724
Decided in favor of plaintiffs after trial	...	...	...	...	7,402
Ditto ditto <i>ex parte</i>	...	...	...	...	6,938
Dismissed after trial	...	...	...	...	1,502
Nonsuited	...	...	...	...	2,248
Compromised	...	...	...	...	12,010
Struck off in default of plaintiffs	...	...	...	...	3,134
Pending at the close of the year	...	...	...	...	1,490
					<hr/>
Total	...	...	...	...	34,724

6. The increase of 870 institutions over those of the previous year we attribute entirely to the great impulse which was given to trade by the Madras famine. Every one seemed to turn rice merchant, and Madras Settys (a class of suitors hitherto almost unknown to us), and many others were constant litigants in the Court in matters connected with the rice trade. The Court was, in fact, during the latter half of the year 1877, inundated with suits on rice and wheat contracts, suits in trover in respect of gunny-bags, and suits for the hire and demurrage of cargo-boats; the hire of cargo-boats ruling very high in the months of June, July, and August last. There were also frequent suits against the East Indian Railway Company for short delivery of goods arising out of the increased traffic on that railway. Again, the sudden collapse of the same trade about the beginning of October gave rise to another phase of litigation, viz. suits for damages in respect of the failure to ship goods under shipping orders, one firm having filed in the Court about ten suits in order to obtain their rights.

7. We cannot say that we are able to account for the decrease in suits below Rs. 10, but it is probable that the increase of trade has given more employment to the lower classes, and thus enabled them to pay their debts with greater facility.

8. The increase in point of number is entirely in suits above Rs. 10, while generally speaking the proportionate increase is greater in suits of Rs. 300 and upwards, the number of suits of higher value being much larger than it has been at any time during the last ten years. The greater the amount involved, the greater the likelihood of a contest between the parties, and, as a necessary consequence, the employment of some pleader or legal practitioner. We find that there is a growing tendency on the part of the public to avail themselves of the services of legal practitioners, and such employment entails cross-examination and arguments which do not occur when the parties appear in person. This, no doubt, tends to the more perfect administration of justice; but it also takes time, and the result is that, though the number of cases does not increase to any extent, the amount of work to be got through increases, we may say almost yearly, and if this increase goes on, as we believe it will, we think it may at no distant time necessitate the appointment of a permanent Fifth Judge.

9. As an illustration of the desire of litigants to resort to this Court, we may state that in one case a plaintiff abandoned over Rs. 6,529-3-7 in order to bring his suit within the jurisdiction, the total amount abandoned in all cases over Rs. 1,000 amounting to as much as Rs. 17,844-4-1, exclusive of cases in which the plaintiffs abandoned all excess over Rs. 1,000, the particular amount not being specified. We have also known some instances in which suits, which ought to have been brought in the Mofussil Courts, were instituted in this Court, because the plaintiff preferred adjudication of his case here. Such suits generally abate for want of jurisdiction.

10. From the 1st October 1877 Chapter XXXIX of the new Code of Civil Procedure (Act X of 1877), which deals with summary procedure on bills of exchange and promissory notes, was extended to the Small Cause Courts in the Presidency towns. One plaint only has been filed under that chapter, and the case was compromised. We may venture to state, however, that such extension has been a mistake, so far as the Court is concerned. No procedure can with reason be more rapid or summary than

the ordinary procedure of this Court, and we could, if necessary, explain how the chapter in question, so far from giving us a summary procedure, would, in a large majority of instances, render it less summary and more difficult than it is at present.

11. The new Code of Civil Procedure has further imposed on the Court the work of serving processes sent from the Mofussil Courts, and now that the Code is beginning to be understood, such processes have increased. We had some doubts at first as to whether we could charge fees for serving them, but upon a close examination of section 86 of the Code, we were of opinion that we could deal with them as if they were processes of this Court, and accordingly could refuse to serve them unless the usual fees were paid. These fees have already placed Rs. 912-6 to the credit of the Court.

12. Section 15 of Act XXVI of 1864 empowers the Local Government to declare that the whole, or any part or parts of the Code of Civil Procedure, shall be applicable to Presidency Small Cause Courts, provided that no right of appeal or review shall be given by any declaration made under that section. In pursuance of such enactment, certain sections of Act VIII of 1859 and Act XXIII of 1861 have, by the notifications of the Bengal Government marginally noted, been made applicable to the Calcutta Court of Small Causes.

The sections of Act VIII of 1859, which have been thus extended, are—

Section 73 which empowers the Court to add necessary parties;

Section 173 which enables the Court to examine a witness immediately; and

Section 10 of Act XXIII of 1861 which deals with interest.

Act VIII of 1859 and Act XXIII of 1861 have been repealed by the new Code of Civil Procedure, but section 3 of that Code goes on to declare that when in any "Act, Regulation, or Notification passed or issued prior to the day on which this Code comes into force, reference is made to Act VIII of 1859, Act XXIII of 1861, or the Code of Civil Procedure, or to any other Act hereby repealed, such reference shall, so far as may be practicable, be read as applying to this Code or the corresponding part thereof."

At the same time by section 8 of the new Code certain sections of it are extended to Small Cause Courts in the Presidency towns. In following out therefore the provisions of section 3 as connected with those notifications, we have great difficulty in ascertaining accurately what portions of the new Code correspond with those sections of the old Code which have been extended to this Court by such notifications.

In order then that the matter may be made clear, we would suggest that all the notifications now in force be withdrawn or rescinded, and instead thereof that, under section 8 of Act X of 1877 (the new Code of Civil Procedure), a fresh notification be issued specifically extending the following sections of that Act to the procedure of this Court:—

Sections 26, 27, 28, 29, 30, and 32 as to parties to suits;

Section 90 as to service of summons in Native States;

Section 133 as to sending for the records of another court;

Section 192 (with the exception of the last paragraph) as to the examination of a witness immediately;

Section 209 as to interest; and

Sections 383-387 (excluding section 386) which relate to commissions.

13. During the absence of Mr. T. Jones, Officiating Fifth Judge and Clerk of the Court, on privilege leave, his work was equally distributed among the remaining Judges. In consequence, also, of the great increase of suits above the value of Rs. 500, it was found necessary towards the end of the year to relieve the First Judge of many of the suits between Rs. 100 and Rs. 500, usually set down for hearing before him.

14. We regret to state that the conduct of some of the bailiffs of the Court has not been satisfactory, and we have been constrained to dismiss no less than three of the Seal and Body-Warrant Bailiffs.

15. There is some increase in the number of second summonses, there being 2,110 as against 1,649 in previous year. As connected with this, we

may remark that we still have great trouble with Mofussil Courts all over India. In the letter which accompanies such summonses, we draw particular attention to the sections of the Codes of Civil and Criminal Procedure under which the summonses may be served, and also reprint a notification of the High Court, Calcutta, dated 23rd August 1870, which draws particular attention to the matter; and yet we frequently have the affidavits of services filled in so irregularly that it is impossible for us to act upon them, and then another summons has to issue at great inconvenience and expense to the suitors. We append a copy of the usual letter which accompanies a summons sent to a Mofussil Court for service, and we may venture to suggest that great good might be done if Government were to issue a special circular order calling further attention of judicial and magisterial officers to the matter.

Another difficulty also arises from the insufficient staff of bailiffs for service of the processes. There are 41 bailiffs who are daily in attendance before the several Benches from 11 A. M. to 3 P. M. They have generally 3 to 4 hours for the service of the processes, and considering the average number of processes which each bailiff has to serve daily, it is impossible that he can go over to the residence of the defendant more than once to effect service.

16. Eight thousand nine hundred and four contested suits were disposed of after a complete trial as against 8,577 in the previous year, showing an increase of 327 suits so decided; 2,248 were nonsuited, and 3,134 were struck off in default of the appearance. We wish to remark, however, that the cases nonsuited represent a very large amount of the work done. It is rarely that a plaintiff takes a nonsuit before he has gone into his case. It generally happens that he does so on account of some deficiency in the evidence brought forward by him, or because he has not properly prepared himself. It often, too, happens that a plaintiff elects a nonsuit after a case has been completely heard, or the Court nonsuits him, thinking that it is a matter with regard to which he might reasonably come to Court a second time. Cases struck off are generally cases which are compromised out of Court, and occur more frequently in suits of smaller value, where the half costs to be returned are so small that the plaintiff does not think it worth his while to come to Court to obtain a refund.

17. The sum standing to the credit of the Court is Rs. 67,359-3-10, which is higher than it has been at any time during the last seven years, even making allowance for the rent which was formerly paid for the Court premises.

We have the honor to be,

SIR,

Your most obedient servants,

H. MILLETT,

KOONJO LALL BANERJEA,

GIDEON C. SCONCE,

GREESH CHUNDER GHOSE,

} *Judges.*

No.

Plaintiff,

versus

Defendant.

FROM

THE CLERK OF THE CALCUTTA COURT OF SMALL CAUSES,

To

THE

OF

Dated the

SIR,

I HAVE the honor to forward herewith in duplicate
of this Court, No. , dated
to be served on

who said to reside within your district, and I have to request that, in pursuance
of section 29 of Act IX of 1850, which is set forth for your information on the other side,
you will be pleased to endorse the process and cause to be served in the same
manner as processes issued by you are served.

2. The bearer states that he can identify
the and point out to the officer to
whom the process may be delivered for service.

3. In the event of the process being duly served, I have to request that you will be
pleased to take from the officer, who actually made the service, an affidavit or solemn
affirmation of service in the form annexed, and will be careful to cause to be stated therein
the mode of service; and, if the service was personal, the name of the person by whom
identified. Be pleased then to sign the attestation of the
affidavit required by the 30th section of Act IX of 1850 (also set forth on the other
side), and to deliver to the bearer to be produced in court at the trial. If,
however, the bearer fails to point out the to your officer, or if, for any other
reason, service is impossible in any of the modes required, the return of the process with
a memorandum on to that effect is requested.

I have the honor to be,

SIR,

Your most obedient servant,

Clerk of the Court.

Sections 29 and 30 of Act IX, 1850, entitled "An Act for the more easy recovery of Small Debts
and Demands in Calcutta, Madras, and Bombay."

XXIX. Any summons or other process of any of the said courts, service of which
is needed out of the court, may be exhibited in any Court of Law, or before any Magistrate,
and shall be thereupon endorsed by the Magistrate or Judge of such court; and when so
endorsed, may be served in like manner as any order or process from such court of
Magistrate; and such service shall be as valid as if the same had been made by the bailiff
of the court out of which such summons or other process shall have issued within the
jurisdiction of the court for which he acts.

XXX. Service of any summons or other process of the court, which shall require to
be served out of the district of the court, may be proved by affidavit or solemn affirmation,
purporting to be sworn or made before any Judge or Magistrate; and in every case of the
unavoidable absence of the bailiff by which any summons or other process of the court has
been served, the service of such summons or other process may be proved, if the Judge think
fit, in the same manner as a summons served out of the district of the court.

MEMO.

In case of summons being taken to a Magistrate's court for service, particular atten-
tion is requested to sections 154 and 155 of the Code of Criminal Procedure, or in case
of summons being taken to any civil court, to that portion of Chapter VI of the Code of
Civil Procedure which deals with the service of summonses.

CIRCULAR ORDERS BY THE HIGH COURT OF JUDICATURE AT FORT WILLIAM IN BENGAL.

From J. S. CARSTAIRS, Esq., Officiating Registrar of the High Court of Judicature at Fort
William in Bengal, to all Civil and Criminal Authorities in the Regulation and Extra-
Regulation Provinces—No. 24, dated Calcutta, the 23rd August 1870.

CIVIL AND CRIMINAL SIDES.

THE attention of the Court has been drawn to the fact that, notwithstanding the full and
clear directions which in each case accompany processes forwarded by the Calcutta Court of
Small Causes for service under sections 29 and 30 of Act IX of 1850, it very frequently
happens that the provisions of the law, in respect of such processes, are not carried out by the
courts addressed. The High Court, in now directing that more exact attention be given to
such cases in future, feel obliged to point out to the subordinate civil and criminal courts of
all grades that failure to comply with instructions so explicit is quite inexcusable; it can only
be explained on the supposition that the Judges or Magistrates concerned have bestowed no
personal attention on the matter.

No 1.—PART I.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-eighth year of its institution, viz. from 1st April 1877 to 31st March 1878.

MONTHS.	1			2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	NUMBER OF SUITS INSTITUTED.																		
	English.	Native.	Total.																
1877.	563	2,332	2,925	47	3,909	181	2,698	1	754	2	25	83	28	28	28	28	28	28	28
April	536	2,662	3,198	49	4,003	160	2,512	1	648	2	26	33	36	36	36	36	36	36	36
May	525	2,553	3,078	48	3,949	197	2,537	1	798	2	28	28	28	28	28	28	28	28	28
June	576	2,673	3,249	49	4,315	182	2,640	1	835	2	32	32	32	32	32	32	32	32	32
July	632	2,768	3,400	42	4,396	257	2,706	1	759	2	32	36	36	36	36	36	36	36	36
August	639	3,273	3,912	47	4,315	235	3,443	2	1,015	2	31	36	36	36	36	36	36	36	36
September	41	2,174	2,215	42	3,115	50	426	3	1,015	2	37	40	40	40	40	40	40	40	40
October	448	2,134	2,603	48	3,411	158	2,357	2	597	2	15	13	13	13	13	13	13	13	13
November	323	1,452	1,815	46	2,860	127	1,884	2	554	2	31	39	39	39	39	39	39	39	39
December	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
1878.	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...	...
January	517	2,492	3,009	48	3,905	213	2,513	3	839	2	37	31	37	53	396	13	385	21	125
February	547	2,365	2,912	43	3,894	205	2,347	1	716	3	17	36	17	71	439	15	411	22	137
March	580	2,725	3,253	51	4,109	190	2,516	1	770	2	38	27	38	84	652	17	635	25	180
Total	5,917	27,593	33,510	476	43,316	2,110	28,973	23	5,637	34	355	370	360	611	5,673	292	5,471	267	17,118

The Court was closed on account of Sundays
Christmas Day, Her Majesty's Birthday, and vacation in December, including New Year's Day
Hindoo holidays, including Dussehra vacation ...
Mahomedan holidays ...
Total number of days in which the Court was closed ...
Number of sitting days ...

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1878.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-eighth year of its institution, viz. from 1st April 1877 to 31st March 1878

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 2.

Comparative Table of Cases set down for hearing from 1st April 1876 to 31st March 1877 and from 1st April 1877 to 31st March 1878, showing how they are disposed of.

						Judgment for plaintiff.	Judgment for defendant.	Nonsuited and struck off.	Com- promised.	TOTAL.
April	...	...	{ 1876	...	...	874	95	433	828	2,830
			{ 1877	...	...	1,223	109	470	1,083	2,854
May	...	...	{ 1876	...	...	1,218	142	556	1,050	2,966
			{ 1877	...	...	1,410	150	555	1,177	3,292
June	...	...	{ 1876	...	...	1,355	154	522	1,070	3,107
			{ 1877	...	...	1,272	132	411	1,139	2,954
July	...	...	{ 1876	...	...	1,307	146	460	1,031	2,944
			{ 1877	...	...	1,457	184	494	1,121	3,256
August	...	...	{ 1876	...	...	1,077	180	597	1,323	3,777
			{ 1877	...	...	1,437	162	517	1,158	3,274
September	...	...	{ 1876	...	...	1,170	110	451	1,008	2,739
			{ 1877	...	...	1,570	143	501	1,408	3,623
October	...	...	{ 1876	...	...	267	18	117	109	601
			{ 1877	...	...	408	37	143	360	948
November	...	...	{ 1876	...	...	1,448	167	593	1,110	3,318
			{ 1877	...	...	898	99	455	700	2,152
December	...	...	{ 1876	...	...	1,038	100	488	976	2,602
			{ 1877	...	...	868	93	377	731	2,069
January	...	...	{ 1877	...	...	863	103	412	689	2,017
			{ 1878	...	...	1,175	118	490	949	2,738
February	...	...	{ 1877	...	...	1,292	131	470	1,110	3,013
			{ 1878	...	...	1,231	130	453	1,116	2,930
March	...	...	{ 1877	...	...	1,381	156	498	1,142	3,179
			{ 1878	...	...	1,391	145	507	1,101	3,144
Total	...	...	{ 1877	...	...	13,990	1,504	5,597	11,501	32,592
			{ 1878	...	...	14,340	1,502	5,382	12,010	33,234

Undecided, postponed after being called for hearing—

In 1876-77 1,314

In 1877-78 1,490

Postponed after being partly heard in 1877-78 416

Instituted towards the close of the year, but
not returnable till after the close of the
official year 1,041

1,490

CALCUTTA COURT OF SMALL CAUSES,

DOUGLAS WHITE,

The 27th June 1878.

Offg. Fifth Judge and Clerk of the Court.

No. 3.

Statement showing the number of Cases pending on the 31st March 1878.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.							Instituted before, but not returnable till after the close of the year.	Grand Total.
	For service of summons.	For wit- nesses.	For attach- ments.	At the request of the parties to the suit.	Referred to arbi- tration.	By order of the court.	Total.		
First Judge	6	4	.....	25	17	47	99	.....	.....
Second "	7	.....	.....	15	15	20	57	.....	.....
Third "	24	20	.....	23	85	24	136	.....	.....
Fourth "	10	14	.....	20	34	12	96	.....	.....
Fifth "	11	6	.....	4	.....	54	85	.....	.....
Total	64	63	.....	87	101	137	446	1,044	1,490

CALCUTTA COURT OF SMALL CAUSES,

DOUGLAS WHITE,

The 27th June 1878.

Offg. Fifth Judge and Clerk of the Court.

No. 4.

Abstract Statement of Cases set down for hearing and disposed of from 1st April 1877 to 31st March 1878.

MONTHS.	Judgment for plaintiff.	Judgment for defendant.	Struck off.	Nonsuited.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.
1877.								
April	1,223	109	233	237	1,053	2,854	.....	2,965
May	1,410	150	277	278	1,177	3,292	.....	3,168
June	1,272	183	246	166	1,139	2,954	.....	3,063
July	1,437	184	305	189	1,121	3,256	.....	3,240
August	1,437	102	281	236	1,158	3,274	.....	3,338
September	1,670	143	200	245	1,400	3,023	.....	3,062
October	408	37	83	60	360	848	.....	215
November	608	80	326	120	700	2,152	.....	2,003
December	808	93	234	143	731	2,000	.....	1,815
1878.								
January	1,178	118	538	158	949	2,738	.....	3,007
February	1,231	130	263	100	1,116	2,930	.....	2,912
March	1,391	145	280	218	1,101	3,144	.....	3,253
Total	14,340	1,602	3,134	2,248	12,010	33,234	1,490	33,510

CALCUTTA COURT OF SMALL CAUSES,

DOUGLAS WHITE,

The 27th June 1878.

Offg. Fifth Judge and Clerk of the Court.

No. 5.

Comparative Statement of Commission and Fees realized and credited to Government in 1876-77 and in 1877-78

MONTHS.	1876-77.	MONTHS.	1877-78.	Total increase of fees in 1877-78.	Total decrease of fees in 1877-78.	REMARKS.
	On account of fees received on the institution and prosecution of suits and on account of distresses for rents.		On account of fees received on the institution and prosecution of suits and on account of distresses for rents.			
1876.						
	Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.	
April	14,345 0 6	April	17,437 2 3	3,213 1 9	.....
May	10,636 12 9	May	10,437 1 0	2,400 4 3	.....
June	17,683 13 6	June	18,302 9 9	608 12 3	.....
July	17,767 4 9	July	20,089 0 9	2,331 12 0	.....
August	23,007 5 0	August	21,485 10 0	.....	2,421 11 0	
September	10,635 4 0	September	26,780 4 9	16,154 0 9	.....
October	6,441 4 0	October	1,410 12 0	.....	5,021 8 0	
November	19,014 8 6	November	19,427 14 0	413 7 6	.....
December	13,760 5 0	December	14,150 10 3	490 5 3	.....
1877.						
	Rs. A. P.		Rs. A. P.	Rs. A. P.	Rs. A. P.	
January	14,423 15 3	January	31,417 14 0	6,993 14 9	.....
February	17,733 6 9	February	18,127 8 3	404 1 6	.....
March	17,143 5 9	March	20,000 13 0	2,856 7 3	.....
Total	1,80,363 3 0	Total	2,13,704 4 0	36,785 5 9	7,443 8 0	

Rs. A. P.
Deduct decrease 7,443 8 0 } or an increase of nearly 15½ per cent over the receipts of last year.
Net increase 20,342 0 9

CALCUTTA COURT OF SMALL CAUSES,

DOUGLAS WHITE,

The 27th June 1878.

Offg. Fifth Judge and Clerk of the Court.

*Abstract Statement of sums received and paid out to Suitors and others from 1st April 1877 to
31st March 1878.*

1877.	Ra.	A.	P.	1877.	Ra.	A.	P.
To cash received on account of suitors, &c., in April	25,487	15	6	By cash paid out to suitors, &c., in April	26,591	4	0
Ditto ditto May	31,729	0	10	Ditto ditto May	28,176	9	7
Ditto ditto June	30,030	5	10	Ditto ditto June	28,877	0	1
Ditto ditto July	27,958	6	1	Ditto ditto July	29,818	6	10
Ditto ditto Aug.	31,680	5	7	Ditto ditto Aug.	27,784	10	1
Ditto ditto Sept.	37,544	10	10	Ditto ditto Sept.	38,658	18	9
Ditto ditto Oct.	13,408	12	9	Ditto ditto Oct.	12,382	1	0
Ditto ditto Nov.	27,730	8	10	Ditto ditto Nov.	28,501	7	6
Ditto ditto Dec.	26,885	15	0	Ditto ditto Dec.	27,016	1	3
1878.				1878.			
To cash received on account of suitors, &c., in Jan.	32,081	1	0	By cash paid out to suitors, &c., in Jan.	33,118	1	6
Ditto ditto Feb.	29,458	6	8	Ditto ditto Feb.	29,909	2	4
Ditto ditto Mar.	34,248	2	5	Ditto ditto Mar.	30,258	11	11
Total ...	3,48,180	11	4	Total ...	3,39,572	5	10

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1878.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 7.

Table showing the nature of Cases heard and decided from 1st April 1877 to 31st March 1878.

	MONTHS.												TOTAL.
	April 1877.	May 1877.	June 1877.	July 1877.	August 1877.	September 1877.	October 1877.	November 1877.	December 1877.	January 1878.	February 1878.	March 1878.	
Goods sold and delivered ...	1,171	1,239	1,164	1,284	1,223	1,462	360	752	763	944	1,223	1,261	12,836
Bills of exchange and promissory notes ...	164	195	163	188	187	195	52	125	128	150	179	144	1,853
Wages ...	160	245	228	236	235	228	65	170	163	222	213	254	2,428
Work and labour and materials, &c. ...	269	287	199	180	220	235	82	162	148	181	179	202	2,277
For money paid ...	88	55	37	69	50	50	11	30	46	36	34	40	496
Ditto lent ...	366	384	334	387	453	456	135	275	228	355	361	348	4,062
Ditto had and received ...	62	77	98	98	77	90	16	52	41	71	74	99	868
On an account stated ...	32	55	56	40	44	54	12	25	22	34	27	44	445
For use and occupation ...	257	246	241	302	288	323	84	200	200	290	291	303	3,029
Ditto and hire ...	41	31	37	29	44	58	11	52	44	41	44	46	478
On judgment ...	1	4	2	1	6	7	...	2	2	6	3	5	39
On guarantee ...	5	9	3	7	11	14	2	3	2	6	7	7	76
Partnership balance ...	...	...	3	1	...	4	1	1	...	3	...	2	15
Other actions on contract ...	156	227	182	209	188	226	52	125	128	165	139	164	1,961
Trover ...	40	59	47	39	65	58	15	41	37	66	64	64	594
Case ...	59	63	67	87	87	84	22	54	50	67	57	74	758
Trespass ...	1	...	...	...	...	2	...	...	1	...	1	2	7
Board and lodging ...	13	30	9	19	10	10	7	19	8	16	8	26	174
Assault ...	19	36	29	30	26	16	4	19	22	22	11	21	254
Cases under distresses of 1875 ...	...	...	...	...	...	2	...	...	...	...	...	...	2
Interpleader ...	27	43	34	31	40	17	10	10	21	35	23	22	322
Ejectment ...	27	27	23	25	22	39	6	17	15	28	16	7	262
Against executors ...	3	...	...	1	...	...	1	...	...	...	...	...	5
Covenant ...	...	...	...	...	14	3	...	...	...	...	...	...	17
Total ...	2,854	3,202	2,954	3,256	3,274	3,623	948	2,152	2,069	2,788	2,930	3,144	38,254

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1878.

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court.

No. 8.

Statement showing the Statistics of the Distraint Department of the Court under Act I of 1875 from 1st April 1877 to 31st March 1878.

Months.	Distraint compro- mi- ed before ap- praisement.	Sales.	Distresses set aside before ap- praisement.	Unre- cuted.	Compro- mised after appraisement.	Distresses set aside after ap- praisement.	Total number of distresses for rent.	Amount of rent for which distresses were made.	Commissions and fees deposited.
1877.									
April	26	2	2	2	3	.....	35	Rs. 3,483 10 6	Rs. 506 0 0
May	23	8	1	1	4	.....	37	2,472 6 0	382 0 0
June	19	4	.....	1	2	.....	27	1,464 0 6	285 12 0
July	29	6	2	8	3	.....	48	3,777 2 3	579 12 0
August	17	2	1	4	1	.....	26	1,914 0 3	288 12 0
September	35	8	1	1	2	.....	47	2,176 0 0	349 0 0
October	3	.....	.....	2	.....	.....	5	326 8 3	49 4 0
November	83	5	3	4	3	.....	48	3,609 2 6	542 0 0
December	18	.....	.....	.....	1	.....	14	1,360 2 8	205 0 0
1878.									
January	25	4	1	5	2	.....	37	4,417 5 9	777 0 0
February	10	3	3	6	3	1	32	1,860 4 6	293 8 0
March	28	8	2	1	13	.....	52	2,676 1 8	430 12 0
Total	267	50	16	35	37	2	407	29,498 12 0	4,632 4 0

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 9.

Statement showing the amount of Fines from 1st April 1877 to 31st March 1878.

Months.	Amount. Rs. A. P.	Months.	Amount. Rs. A. P.
April 1877	2 8 0	November 1877	0 8 0
May "	10 8 0	December "	0 4 0
June "	20 0 0	January 1878	44 8 0
July "	10 0 0	February "	8 8 0
August "	0 8 0	March "	4 8 0
September "	.....	
October "	.....	
		Total	101 12 0

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 10.

Statement showing the Salaries of the Judges, Cost of the Establishment, Contingent, and other charges, from 1st April 1877 to 31st March 1878.

Months.	Salaries of Judges.	Establishment charges.	Commission allowed to bailiffs.	Contingent charges.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April 1877	5,573 14 6	7,111 0 0	835 6 0	81 5 6	13,591 9 11
May "	5,439 7 3	6,992 0 0	830 8 0	181 14 3	12,940 13 6
June "	5,290 9 1	6,992 2 3	319 10 0	93 7 9	12,695 13 1
July "	5,290 9 1	7,218 2 9	393 14 0	103 0 9	12,933 10 7
August "	5,290 9 1	7,230 8 0	348 4 0	13 8 6	12,969 13 7
September "	5,290 9 1	7,114 9 6	313 12 0	204 0 6	12,922 15 1
October "	5,290 9 1	7,116 4 3	344 12 0	114 1 0	12,864 10 4
November "	5,290 9 1	7,108 3 9	240 8 0	23 1 9	12,660 4 7
December "	5,290 9 1	7,112 13 0	203 8 0	118 11 0	12,725 9 1
January 1878	5,290 9 1	6,855 0 0	305 8 0	83 13 6	12,533 14 7
February "	5,388 15 0	6,900 2 9	322 0 0	55 9 0	12,667 1 9
March "	5,440 9 1	7,045 2 6	284 0 0	48 9 0	12,815 4 7
Total	64,167 6 5	84,791 7 9	2,667 8 0	1,233 2 6	1,53,869 6 8

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 11.

Statement showing the net amount credited to Government from 1st April 1877 to 31st March 1878.

MONTHS.	Commission and fees paid in stamps, &c.	Fines.	Unclaimed suitors' money.	Savings and refunded charges.	Total amount credited.
1877.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April	17,457 2 3	2 8 0	186 5 9	.....	17,696 0 0
May	19,437 1 6	10 8 0	140 0 9	.....	19,687 10 3
June	18,292 0 9	20 0 0	263 8 6	.....	18,566 2 3
July	20,689 0 9	10 0 0	367 7 0	.....	21,066 7 9
August	21,485 10 0	0 8 0	208 9 6	1 0 0	21,693 11 6
September	26,780 4 0	.....	298 13 0	0 1 0	27,088 2 9
October	1,419 12 0	.....	180 15 6	.....	1,600 11 6
November	19,427 14 0	0 8 0	71 15 6	0 4 0	19,590 9 6
December	14,160 10 3	0 4 0	135 10 0	0 3 0	14,286 11 3
1878.					
January	21,417 14 0	44 8 0	.....	.....	21,463 6 0
February	18,127 8 3	8 8 0	.....	.....	18,136 0 3
March	20,009 13 0	4 8 0	610 18 6	0 1 0	20,634 3 6
Total	2,18,704 4 6	101 12 0	2,411 3 0	1 9 0	2,21,218 12 6

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 12.

Statement of Indigent Debtors relieved from 1st April 1877 to 31st March 1878, prepared in conformity with Mr. Eden's letter No. 873T., dated 1st October 1863.

DATE AND MONTH.	Names of parties relieved.	Amount paid.
1877.		Rs. A. P.
6th June	Mrs L. Starling	6 12 0
13th "	Nilmoney Bewah	3 10 0
23rd August	Surno Bewah	4 3 0
20th November	Dongamboroo Bewah	4 10 0
15th December	Mrs. Perry	5 3 0
1878.		
23rd January	Mrs. M. Russell	33 15 0
27th March	Mrs. Maxfield	6 12 0
	Total	64 1 0

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

Statement of the number of Ex-parte cases disposed of by the Judges of the Calcutta Court of Small Causes from 1st April 1877 to 31st March 1878.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1877.						
April	30	120	101	183	218	652
May	40	147	133	189	188	697
June	98	192	147	149	1	587
July	117	175	146	188		626
August	89	185	134	137	147	692
September	36	176	140	181	269	702
October	15	38	34	46	85	218
November	29	95	94	96	123	447
December	31	107	73	103	140	454
1878.						
January	29	130	90	142	174	565
February	24	143	123	143	207	640
March	22	154	131	147	180	634
Total	549	1,632	1,360	1,593	1,754	6,888

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

Comparative

	1st Year, 1850-51.	2nd Year, 1851-52.	3rd Year, 1852-53.	4th Year, 1853-54.	5th Year, 1854-55.	6th Year, 1855-56.
	No.	No.	No.	No.	No.	No.
Number of cases { English ... { Native ...	4,407 16,910	4,514 23,205	4,796 22,085	4,367 20,068	4,403 20,201	5,617 21,421
Total	21,323	27,749	26,881	24,435	24,603	27,088
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated ...	4,47,381 0 0	5,31,469 12 4	5,17,063 5 10	5,08,320 11 10	5,25,139 8 4	6,61,241 11 10
Commission and fees paid in Court in institution of suits ...	59,531 14 6	73,938 8 9	73,763 13 0	73,212 14 8	75,870 7 9	90,844 10 3
Net amount of commission and fees credited to Govern- ment on suits ...	57,452 13 6	74,739 4 9	77,202 4 9	75,180 7 6	73,393 9 6	90,338 9 3
Ditto on distresses for rent ...	1,510 7 0	1,778 8 0	1,969 8 0	1,629 0 0	1,480 12 0	1,543 4 0
Amount credited to Govern- ment on account of fines ...	651 6 6	585 4 3	434 13 3	786 15 9	240 12 8	253 14 9
Ditto on account of unclaim- ed moneys belonging to sutors and landlords ...	...	...	...	...	...	...
Ditto on account of sav- ings from salaries, sale of old furniture, records, &c.	207 6 0	712 0 3	100 9 3	...	605 3 8	28 0 0
Net total amount credited to Government in the cash account ...	59,822 1 0	77,875 1 3	79,767 3 3	77,596 7 3	79,700 5 5	92,158 13 9
Amount paid into Court under decrees, &c. ...	2,46,313 0 0	2,81,604 11 0	1,14,017 2 0	1,08,620 7 11	1,12,100 14 4	1,39,573 15 7
Amount paid out of Court on ac- count of decrees, &c. ...	2,43,604 0 0	3,79,726 2 9	1,12,694 4 9	1,08,112 6 6	1,11,347 0 6	1,40,190 7 3
	No.	No.	No.	No.	No.	No.
Number of days on which the Court was open ...	268	274	277	280	235	254
Average number of cases instituted daily ...	82'8	101'2	95'0	94'0	105'0	106'4
Cases under	5	...	...	...	...	...
Ditto 10	12,791	18,111	17,178	15,165	15,108	15,727
Ditto 20	3,363	4,389	4,495	4,231	4,382	4,471
Ditto 50	2,422	3,275	3,226	3,085	3,103	3,723
Ditto 100	792	944	1,028	992	1,065	1,400
Ditto 200	489	636	646	558	600	734
Ditto 300	186	224	217	222	213	244
Ditto 400	88	116	98	108	130	133
Ditto 500	67	100	95	104	97	106
Ditto 600	...	...	...	...	...	...
Ditto 700	...	...	...	...	...	...
Ditto 800	...	...	...	...	...	...
Ditto 900	...	...	...	...	...	...
Ditto 1,000	...	...	...	...	...	...
Cases above 1,000	...	...	...	...	...	...
Number of summonses issued	51,899	68,174	65,863	59,118	58,951	64,281
Ditto of second summonses	...	8,806	7,574	5,005	3,055	2,060
Ditto of subpoenas	18,882	23,399	21,020	19,917	19,612	20,717
Ditto of attachments	...	809	1,368	853	320	474
Ditto of writs of execution	3,918	4,994	6,029	5,243	4,530	6,474
Ditto of bench warrants	...	...	167	142	79	39
Ditto of copies of judgments	167	215	226	176	137	173
Ditto of commitments	444	624	1,040	611	623	572
Warrants to sue and defend filed	2,170	3,205	2,675	3,190	3,340	4,128
Judgment for plaintiffs	8,339	10,548	9,512	8,993	8,496	11,068
Ditto for defendants	688	952	1,747	1,748	1,408	1,339
Non-suited	4,172	5,831	6,532	2,752	2,543	3,028
Struck out and compromised	6,655	10,222	9,419	11,583	11,168	11,490
Undecided and pending	393	380	284	406	166	102
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned on cases compromised	10,533 5 6	9,939 11 9	6,341 9 9	12,004 15 6	11,091 2 3	11,846 0 0

14.

Table.

7th Year, 1850-57.	8th Year, 1857-58.	9th Year, 1859-59.	10th Year, 1859-60.	11th Year, 1860-61.	12th Year, 1861-62.	13th Year, 1862-63.	14th Year, 1863-64.
No.	No.	No.	No.	No.	No.	No.	No.
6,254 22,413	5,834 25,000	5,450 24,500	6,452 25,885	6,524 25,253	6,850 26,574	6,282 27,299	6,408 28,472
24,066	30,843	29,958	32,287	31,777	33,224	33,581	34,880
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
7,38,111 2 6	8,01,924 6 0	7,03,412 11 1	9,35,005 0 0	9,78,939 4 10	11,19,418 6 0	10,54,228 11 7	12,10,923 6 11
1,01,464 2 9	1,12,778 12 9	1,00,260 7 6	1,33,317 7 4	1,39,247 12 6	1,59,436 0 3	1,40,970 0 0	1,64,593 15 9
1,00,801 14 0	1,12,624 6 0	1,07,018 0 0	1,28,992 15 3	1,36,073 3 9	1,57,233 5 3	1,49,725 13 6	1,63,728 2 0
1,000 0 0	1,157 0 0	830 0 0	1,452 12 0	1,529 8 0	11,167 4 0	1,553 8 0	1,278 12 0
403 5 3	343 5 9	202 8 0	191 12 0	125 0 0	330 0 0	263 1 9	103 7 0
755 4 9	9,720 13 3	1,398 0 3	1,407 12 10	1,431 11 3	2,814 2 10	3,056 4 9	3,106 1 6
15 9 6	255 9 5	68 2 9	8 15 6	6 1 8	10 4 1	0 12 3	192 5 3
1,03,096 1 6	1,24,101 3 2	1,10,915 11 9	1,32,144 3 7	1,39,165 11 8	1,61,100 5 2	1,54,599 7 3	1,68,403 11 9
1,72,072 6 8	1,98,524 3 1	1,84,002 0 10	2,16,926 14 10	2,20,051 5 4	2,48,763 7 1	2,37,207 6 11	2,67,248 7 6
1,70,817 14 2	1,98,633 0 10	1,84,084 8 2	2,16,302 0 2	2,18,821 13 11	2,44,001 3 3	2,38,360 8 5	2,56,034 7 5
No.	No.	No.	No.	No.	No.	No.	No.
240	250	246	249	253	259	265	267
1105	1233	1217	1206	1256	1292	1267	1306
16,325	17,363	16,067	17,032	16,695	16,948	16,889	16,838
5,174	5,708	5,850	6,118	5,791	6,310	5,086	6,109
4,088	4,417	4,745	4,869	5,019	5,268	4,136	3,394
1,511	1,649	1,614	2,088	2,100	2,180	2,372	2,630
903	932	943	1,205	1,114	1,216	1,378	1,205
331	391	387	483	510	640	690	765
173	169	172	257	206	370	306	465
161	214	185	235	252	297	224	369
.....
.....
.....
.....
.....
67,637	61,405	70,012	42,877	42,351	40,942	43,042	44,789
1,847	1,724	1,389	767	834	910	1,219	1,425
22,812	22,777	23,279	25,414	24,783	29,116	30,670	31,857
246	418	337	378	465	239	132	163
7,169	8,078	7,694	8,203	8,085	8,430	8,264	9,123
30	19	14	25	18	13	15	17
184	217	236	348	481	412	353	370
609	629	639	666	509	510	510	520
4,700	5,743	4,574	5,088	5,633	6,211	5,930	6,950
2,311	15,281	12,447	13,857	13,019	14,156	14,125	14,636
1,022	1,154	1,612	1,617	1,736	1,986	1,986	2,152
8,308	8,550	2,698	2,791	3,448	2,803	3,046	2,863
11,927	12,930	13,133	14,048	13,847	14,104	14,395	15,129
160	154	91	150	179	157	167	169
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
12,908 6 6	14,779 13 0	14,722	17,839 5 3	18,018 3 0	22,865 14 6	22,076 4 6	24,071 3 9

	15th Year, 1864-65.	16th Year, 1865-66.	17th Year, 1866-67.	18th Year, 1867-68.	19th Year, 1868-69.	20th Year, 1869-70.
	No.	No.	No.	No.	No.	No.
Number of cases (English instituted ... (Native	6,829 20,128	7,328 30,098	6,344 27,707	6,583 23,021	5,912 25,767	6,408 27,045
Total	55,948	37,324	53,051	50,214	31,679	34,840
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated	17,68,551 4 7	20,20,308 4 3	17,82,378 12 0	16,45,704 4 10	16,98,609 4 0	16,49,525 15 5
Commission and fees paid in Court in institution of suits	2,17,400 0 6	2,33,371 8 8	2,06,084 1 6	2,11,840 2 6	2,21,692 2 3	2,45,086 14 6
Amount credited to Government { Net amount of commission and fees credited to Government on suits ...	2,12,255 13 9	2,28,523 5 9	1,98,760 7 6	2,10,540 0 8	2,21,311 4 3	2,26,040 7 3
Ditto on distresses for rent	1,289 8 0	2,312 12 0	2,745 4 0	1,039 8 0	1,265 4 0	
Amount credited to Government on account of fines	345 12 6	114 8 0	283 2 3	141 8 0	262 0 0	169 10 0
Ditto on account of unclaimed moneys belonging to suitors and landlords	3,517 1 2	1,720 2 5	3,330 5 3	4,260 14 11	4,366 4 5	5,707 8 9
Ditto on account of savings from salaries, sale of old furniture, records, &c.	87 10 0	209 11 0	109 5 0	17 14 0	19 12 0	13 8 0
Net total amount credited to Government in the cash account	2,17,475 13 5	2,30,879 7 2	2,05,228 8 0	2,16,505 13 6	2,23,214 8 8	2,32,021 2 0
Amount paid into Court under decrees, &c.	3,48,294 2 5	3,14,584 7 04	2,68,476 12 5	3,04,351 13 0	3,00,719 0 4	3,00,984 11 4
Amount paid out of Court on account of decrees, &c.	3,43,264 14 0	3,17,521 12 104	2,86,366 12 2	3,02,320 5 0	3,11,789 8 4	3,06,085 3 6
	No.	No.	No.	No.	No.	No.
Number of days on which the Court was open	261	263	240	254	253	254
Average number of cases instituted daily	137.7	141.0	141.40	118.95	125.23	135.19
	Rs.	Rs.	Rs.	Rs.	Rs.	Rs.
Cases under	5	5	5	5	5	5
Ditto	10	20,501	20,768	19,867	12,208	12,660
Ditto	20	6,724	6,281	5,810	5,257	6,636
Ditto	50	3,378	4,680	3,154	3,543	6,094
Ditto	100	2,482	2,488	2,278	2,014	2,568
Ditto	200	1,471	1,563	1,118	1,093	1,723
Ditto	300	807	693	680	576	657
Ditto	400	414	447	441	367	355
Ditto	500	256	302	222	248	269
Ditto	600	161	140	153	187	188
Ditto	700	121	168	124	163	151
Ditto	800	90	130	165	137	104
Ditto	900	70	122	93	128	90
Ditto	1,000	104	145	163	146	125
Cases above	1,000	.....	.....	.....	.....	.....
Number of summonses issued	46,807	44,218	43,603	39,880	40,851	43,588
Ditto of second summonses	1,207	1,315	925	1,005	1,346	1,286
Ditto of subpoenas	30,843	35,302	25,721	20,488	54,354	80,223
Ditto of attachments	74	24	23	14	12	16
Ditto of writs of execution	9,403	9,000	7,025	7,436	7,291	8,654
Ditto of bench warrants	25	28	7	8	3	4
Ditto of copies of judgments	568	438	433	377	420	511
Ditto of commitments	573	586	500	381	321	567
Warrants to sue and defend filed	6,108	8,820	4,245	3,781	4,850	5,677
Judgment for plaintiffs	15,326	16,158	14,803	13,008	13,376	15,897
Ditto for defendants	2,023	1,813	1,483	1,565	1,562	1,444
Unsuited	2,918	3,520	3,749	3,698	3,766	3,385
Struck out and compromised	15,612	15,882	15,454	12,570	12,944	15,530
Undecided and pending	153	171	1,066	1,039	1,070	1,156
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned on cases compromised	30,194 0 10	35,568 8 8	27,419 7 8	29,462 10 3	31,083 11 9	28,858 0 3

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

14.

Table—(concluded).

21st Year, 1870-71.	22nd Year, 1871-72.	23rd Year, 1872-73.	24th Year, 1873-74.	25th Year, 1874-75.	26th Year, 1875-76.	27th Year, 1876-77.	28th Year, 1877-78.
No. 6,447 25,692	No. 6,984 25,152	No. 6,566 28,277	No. 5,040 28,043	No. 5,892 29,001	No. 5,883 28,619	No. 5,632 27,008	No. 5,917 27,693
32,339	51,530	34,843	33,583	34,983	34,502	32,640	33,516
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
16,07,311 8 7	15,28,038 10 2	16,23,110 7 11	16,11,535 5 1	15,70,142 10 7	15,82,873 2 10	14,42,611 11 8	17,11,118 3 11
2,36,626 4 0	2,25,803 6 6	2,47,306 7 0	2,33,956 9 6	2,33,753 13 0	2,36,071 13 0	2,23,235 11 0	2,50,783 9 6
2,07,709 3 0	1,97,409 5 6	2,16,219 4 0	2,02,565 7 0	1,90,110 14 9	1,96,391 9 9	1,80,392 3 0	2,18,704 4 6
111 0 0	85 4 0	112 12 0	54 8 0	199 12 0	72 0 0	140 11 0	191 12 0
5,477 4 9	5,543 15 9	7,051 4 3	4,850 3 0	4,939 7 3	2,811 4 3	2,356 15 10	2,411 8 0
5 6 0	.....	144 9 6	4 1 0	319 11 6	.....	0 10 0	1 9 0
2,13,301 13 9	2,08,034 9 3	2,22,528 13 9	2,07,771 3 0	2,04,574 13 6	1,90,256 14 0	1,91,836 8 7	2,31,218 12 6
8,66,869 11 9	3,76,171 1 6	4,03,612 6 4	3,41,187 2 3	3,30,380 0 2	3,06,034 3 4	3,03,920 10 4	3,48,180 11 4
3,98,956 1 6	3,60,432 15 9	3,09,836 5 7	3,32,970 11 10	3,39,504 9 6	3,08,801 2 3	3,01,479 11 11	3,38,573 5 10
No.	No.	No.	No.	No.	No.	No.	No.
249	245	264	266	260	266	261	267
130'3	128'7	131'0	130'3	134'5	129'7	125'5	125'5
.....	6,905	7,889	7,717	8,287	8,093	7,895	7,267
13,236	6,052	7,182	6,906	6,916	6,098	6,823	6,454
6,741	6,518	7,174	7,402	7,316	7,317	6,825	6,928
6,239	6,034	6,550	6,409	6,514	6,403	6,188	6,428
2,650	2,412	2,719	2,763	2,693	2,577	2,401	2,840
1,560	1,496	1,609	1,652	1,600	1,584	1,551	1,654
983	556	617	612	613	696	590	681
302	335	307	335	331	309	208	353
212	203	221	190	214	182	145	226
158	172	170	172	151	166	167	192
124	110	138	98	110	103	103	189
65	87	87	68	73	90	87	102
80	60	78	61	78	80	45	98
137	97	100	68	97	63	73	79
.....	.....	.....	.....	.....	41	44	5
40,883	39,720	44,136	43,468	46,056	43,691	42,645	43,316
1,617	1,508	1,510	1,184	1,417	1,601	1,649	2,110
31,435	31,931	32,918	32,781	29,029	29,880	28,600	28,975
13	39	47	44	50	24	32	28
8,392	8,600	8,250	8,657	9,209	9,475	8,777	9,837
7	2	55	84	100	62	42	54
570	484	419	486	402	408	396	353
303	358	423	406	509	420	378	379
6,343	5,086	6,897	6,403	5,068	5,999	6,379	5,673
14,106	14,000	15,182	14,761	15,327	15,144	13,000	14,390
1,364	1,397	1,456	1,383	1,322	1,381	1,504	1,502
3,178	3,221	3,548	3,669	3,105	3,015	2,515	2,348
13,106	12,709	14,333	14,616	15,273	15,172	14,583	15,144
1,509	876	1,200	1,416	1,326	1,106	1,214	1,460
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
31,122 4 6	29,910 0 0	34,523 1 3	34,349 10 0	37,061 8 0	39,680 5 3	35,873 7 3	41,079 4 0

DOUGLAS WHITE,
Offg. Fifth Judge and Clerk of the Court

No. 15.

Statement showing the number of Mofussil Commissions issued to the Calcutta Court of Small Causes under Section 177 of Act VIII of 1859 and Act X of 1877 for the year 1877-78.

MONTHS.	Number of commissions received.	Number of commissions executed.	Number of witnesses examined.	By what Judge disposed of.
1877.				
April	19	6	21	Officiating Fifth Judge.
May	20	10	23	Ditto.
June	10	9	21	Ditto.
July	26	9	23	Ditto.
August	16	7	24	Ditto.
September	17	10	21	Ditto.
October	2	.....	.....	Ditto.
November	19	11	23	Ditto.
December	14	6	10	Ditto.
1878.				
January	21	9	17	Ditto.
February	27	16	24	Ditto.
March	18	10	17	Ditto.
Total ..	218	106	232	"

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 16. .

Statement showing the number of after-Judgment Processes, including Attachments, issued during the year from 1st April 1877 to 31st March 1878.

1	2	3	4	5	6	7	8
	Number of processes applied for.	Number in which money was deposited after processes applied for but before execution.	Number executed.	Number unexecuted and returned with the remark <i>willa bona</i> and <i>non est inventa</i> .	Number of writs applied for, but not carried into execution by the parties themselves.	Number pending on 31st March 1878.	Total number of columns 3 to 7.
Seal warrants	3,297	234	2,011	207	186	50	3,297
Body warrants	5,568	209	2,452	2,076	547	284	5,568
Total	8,865	443	5,063	2,283	733	343	8,865
Copies of judgments and certificates for execution out of the jurisdiction of the Court...							353

	Seal Warrants.	Body Warrants.
By 3 European Bailiffs	771	773
" 4 Native Seal "	1,840	.....
" 40 Body Warrant " ... ..	.....	1,660
	2,611	2,433

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 17.

Statement showing the number of Cases decided wholly and partially in favour of Plaintiffs by each Judge from 1st April 1877 to 31st March 1878.

			First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1877.								
April	...	{ Wholly	58	208	211	224	310	1,011
	...	{ Partially	15	68	47	50	32	212
May	...	{ Wholly	95	259	249	272	260	1,135
	...	{ Partially	30	84	68	70	23	275
June	...	{ Wholly	139	301	292	267	1	1,030
	...	{ Partially	25	63	65	99	.....	252
July	...	{ Wholly	189	819	252	363	.....	1,132
	...	{ Partially	33	129	69	84	.....	324
August	...	{ Wholly	98	286	254	285	227	1,160
	...	{ Partially	23	94	73	77	20	287
September	...	{ Wholly	72	311	243	327	347	1,300
	...	{ Partially	9	97	64	84	16	270
October	...	{ Wholly	22	65	61	78	97	318
	...	{ Partially	6	27	12	35	10	90
November	...	{ Wholly	54	168	181	149	201	753
	...	{ Partially	13	44	37	87	15	145
December	...	{ Wholly	43	180	127	161	178	694
	...	{ Partially	8	68	30	61	11	174
1878.								
January	...	{ Wholly	53	232	181	206	219	891
	...	{ Partially	10	89	54	96	19	284
February	...	{ Wholly	45	230	191	233	309	1,008
	...	{ Partially	11	70	43	74	26	223
March	...	{ Wholly	32	298	227	230	293	1,080
	...	{ Partially	31	103	72	78	23	311
Total	...	{ Wholly	485	2,256	2,490	2,810	2,442	11,492
	...	{ Partially	219	951	630	845	104	2,648

CALCUTTA COURT OF SMALL CAUSES,

DOUGLAS WHITE,

The 27th June 1878.

Offg. Fifth Judge and Clerk of the Court.

No. 18.

Statement showing the number of Cases instituted before each Judge from 1st April 1877 to 31st March 1878.

			First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1877.								
April	...	...	141	614	646	619	845	2,925
May	...	...	274	815	798	804	479	3,168
June	...	...	411	904	881	867	.....	3,063
July	...	...	431	941	934	943	.....	3,249
August	...	...	201	787	754	761	835	3,338
September	...	...	214	914	870	880	1,084	3,962
October	...	...	23	45	44	51	52	215
November	...	...	168	606	608	670	700	2,602
December	...	...	111	435	409	411	449	1,815
1878.								
January	...	...	160	697	710	702	750	3,009
February	...	...	131	658	657	652	814	2,912
March	...	...	92	781	781	770	828	3,252
Total	...	...	2,337	8,227	8,050	8,000	6,830	33,510

CALCUTTA COURT OF SMALL CAUSES,

DOUGLAS WHITE,

The 27th June 1878.

Offg. Fifth Judge and Clerk of the Court.

Cases referred for the opinion of the High Court.

CAUSE TITLE.	Judge.	By the Court of its own motion.	By the Court at the request of the parties.	REMARKS.
Sreenutty Matungeoney Dassee vs. Ramnarain Sund- khan	3rd Judge	1	} No return received.
Omurtololl Dey vs. A. Howell	1st "	1	.....
Allymuddy, &c., vs. A. Braham, &c.	3rd "	1	.....
H. Mackintosh vs. Rachel Wingrove	1st "	1	.....
Jugurnauth vs. East Indian Railway Company	1st "	1	.....
Total	6	

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

No. 20.

Statement showing the number of Mofussil Processes received for service from 1st October 1877 to 31st March 1878.

MONTHS.	Number of Processes received.	Number in which costs were paid.	Amount of costs paid in stamps.
1877.			Rs. A. P.
October	7	.....	.....
November	70	25	55 12 0
December	87	39	96 4 0
1878.			
January	158	80	230 6 0
February	158	103	277 0 0
March	200	108	253 0 0
Total	686	355	912 6 0

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1878.

DOUGLAS WHITE,

Offg. Fifth Judge and Clerk of the Court.

RESOLUTION.

JUDICIAL.

Calcutta, the 27th August 1878.

READ—

Report on the Calcutta Court of Small Causes for 1877-78.

THE report shows that the number of cases instituted during the year was 870 in excess of the number of the previous year, but one thousand less than the average number of the previous five years. The whole number of suits instituted was 33,510, and the amount in litigation was Rs. 17,11,118, a considerably larger sum than in any of the previous ten years.

2. In the past year a marked change appears to have taken place in the value of the cases brought before the Court. The number of cases below Rs. 10 was less than in any of the previous five years 1872-77; the number between Rs. 10 and Rs. 20 was less than in any of the previous five years, except the year 1876-77; the number between Rs. 20 and Rs. 50 was less than in any of the three years 1872-75, while the number of cases between Rs. 50 and Rs. 1,000 was larger than in any previous year. The number of suits between Rs. 50 and Rs. 1,000 in value in each of the past five years is shown in the following table:—

	1873-74.	1874-75.	1875-76.	1876-77.	1877-78.
Cases between Rs. 50 and Rs. 100 . . .	2,703	2,643	2,377	2,401	2,810
" " " 100 and " 500 . . .	2,789	2,718	2,871	2,000	2,013
" " " 500 and " 1,000 . . .	507	509	502	476	627
" " " 50 and " 1,000 . . .	5,999	5,870	5,750	5,880	6,350

3. The increase in the number of suits as compared with those of the previous year is attributed by the Judges entirely to the great impulse given to trade by the Madras famine. This is no doubt also the correct explanation of the number of suits of high value as compared with the number in any year since the establishment of the Court. Although the total number of suits was less than in many previous years, the amount in litigation was higher than in any other year since the famine of 1866. During the latter half of the year 1877 the Court was inundated with suits on rice and wheat contracts, suits in trover in respect of gunny-bags, and suits for the hire and demurrage of cargo-boats. There were also many suits against the East Indian Railway Company for short delivery of goods, and the sudden collapse of trade in October gave rise to numerous suits for damages for failure to ship goods.

4. The decrease in the number of suits below Rs. 10 is explained by the Judges as probably due to the lower classes being able to pay their debts with greater facility in consequence of the additional employment given to them by the increase of trade. This explanation does not, however, appear to the Lieutenant-Governor to be sufficient, for the same decrease was noticed in the year 1876-77 as compared with the previous year. It appears more probable that the decrease in suits of small value is due to permanent causes. The ruling of the High Court that the Court of Small Causes has no power to seize tiled huts in execution of its decrees, necessarily diminishes the amount of credit given to those who have no other property to tender as security, while the effect of the exclusion of touters has probably been to prevent the institution of suits of small value until efforts have been made to settle the claims out of court.

5. Owing to the amounts involved in the suits of the past year being larger than usual, pleaders and other legal practitioners were more often employed. The Judges remark that there is a growing tendency on the part of the public to avail themselves of the services of legal practitioners, and that the administration of justice though improved is delayed by cross-examination and arguments.

6. Under section 538 of the Civil Procedure Code (Act X of 1877) the Small Cause Court has been vested with jurisdiction for the summary disposal of cases dealt with in chapter XXXIX of the Code. The Judges consider the extension of this chapter to their Court to have been a mistake, but as only one case has been filed under the chapter, and that case was compromised, the point does not appear to be of any material importance.

7. The suggestion made in paragraph 12 of the report that the several notifications issued under section 15 of Act XXVI of 1864 should be withdrawn, and a fresh notification issued under section 8 of Act X of 1877, extending to the Court of Small Causes certain sections of the new Code of Civil Procedure, appears to the Lieutenant-Governor to be a good one. Extract paragraph 12 of the report will be forwarded to the High Court with a request that the Hon'ble Judges will favour the Lieutenant-Governor with their opinion on the subject. The attention of the High Court will also be drawn to the irregularity noticed by the Judges in paragraph 15 of their report.

8. The following statement shows the results of the trials of the past three years. The Lieutenant-Governor is glad to find that there are some grounds for thinking that the number of unfounded and harassing claims is decreasing.

	1876-76.	1876-77.	1877-78.
For plaintiff after trial	7,789	7,073	7,403
Ditto ex-parte	7,325	6,917	6,938
Compromised	12,197	11,501	12,010
Non-suited	3,015	2,515	2,348
Dismissed after trial	1,381	1,504	1,503
Ditto in default of plaintiff	2,975	3,082	3,131
Total	34,682	32,592	33,234

9. The receipts of the year amounted to Rs. 2,21,219, and the expenditure to Rs. 1,53,860. The net sum to be credited to the General Revenues was therefore Rs. 67,359, a larger amount than has been credited during any of the last seven years, even after making allowance for the rent formerly paid for the Court premises.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes, and that reference be made to the High Court as indicated in paragraph 7.

By order of the Lieutenant-Governor of Bengal,

HORACE A. COCKERELL,

Secretary to the Government of Bengal.

No. 3510.

COPY forwarded to the Judges of the Calcutta Court of Small Causes for information and guidance.

By order of the Lieutenant-Governor of Bengal,

H. M. KISCH,

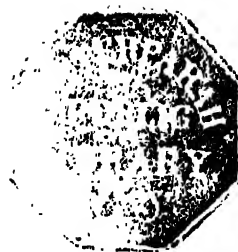
Offg. Under-Secy. to the Govt. of Bengal.

CALCUTTA,

The 27th August 1878.

REPORT

OF THE



CALCUTTA COURT OF SMALL CAUSES

FOR THE YEAR

1876-77.



Calcutta:

PRINTED AT THE BENGAL SECRETARIAT PRESS.

1877.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

TO

THE SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Fort William, the 27th June 1877.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the Annual Report of the business of the Court for the year 1876-77 ending 31st March last.

1. The number of cases instituted in the Court during the year was 32,640, being a decrease of 1,862 cases as compared with the number instituted during the year ending 31st March 1876. The average number of cases for each day was 125.05.

2. The following comparative table shows the increase and decrease of institutions during the year;—

VALUE OF SUITS.					In 1875-76.	In 1876-77.	Increase.	Decrease.
Up to Rs.	5	...	...	...	8,003	7,395	...	608
" "	10	...	...	...	6,098	6,622	...	376
" "	20	...	...	...	7,217	6,826	...	392
" "	50	...	...	...	6,403	6,186	...	215
" "	100	...	...	...	2,777	2,491	...	86
" "	200	...	...	...	1,584	1,551	...	33
" "	300	...	...	...	596	586	...	10
" "	400	...	...	...	309	298	...	11
" "	500	...	...	...	183	165	...	17
" "	600	...	...	...	166	167	1	...
" "	700	...	...	...	103	103	...	...
" "	800	...	...	...	90	87	...	3
" "	900	...	...	...	60	45	...	35
" "	1,000	...	...	...	63	73	10	...
Above	1,000	...	...	...	41	44	3	...
Total					31,502	32,640	14	1,878
Deduct increase					...	...	...	14
Net decrease					...	...	...	1,862

3. The amount in litigation was Rs. 14,42,611-11-8. Rs. 3,03,920-10-4 were paid into Court, and Rs. 3,01,479-11-11 were paid out of Court

4. The receipts on account of commission and fees, &c., have been Rs. 1,91,866-8-7.

Deduct—

			Rs.	A.	P.	Rs.	A.	P.
Salaries of the Judges	...	...	60,571	5	3			
Cost of establishment	...	...	85,323	2	3			
Contingent expenses	...	...	1,271	13	9			
Bailiffs' commission	...	...	3,613	0	0			
Total	...	...	1,50,784	4	3			
Balance to the credit of the Court	...	...	...	...	...	35,082	4	4

5. The disposal of cases set down for hearing during the year is exhibited as follows:—

Number of cases pending in 1875-76	...	...	...	...	1,166
Ditto instituted in 1876-77	...	...	...	...	32,640
Decided in favour of plaintiffs after trial	...	...	...	7,073	33,806
Ditto ditto <i>ex parte</i>	...	...	...	6,917	
Dismissed after trial	...	...	...	1,504	
Non-suited	...	...	...	2,515	
Compromised	...	...	...	11,501	
Struck off in default of plaintiff	...	...	...	3,082	
Pending at the close of the year	...	...	...	1,214	
Total	...	...	...		33,806

6. The total amount of distrainments for rent under Act I of 1875 has been 421, showing an increase of 28 as against the previous year. There are four distrainments exceeding Rs. 1,000 in value, the largest amount distrained for having been Rs. 1,904-4.

7. We think it very probable, though we cannot speak with any great certainty, that the decrease in some classes of suits, as compared with the year 1873-74, may be attributed to the decision of the High Court ordinarily known as "the tiled-hut case," which, having been decided on the 29th April 1873, deprived this Court of the power of seizing tiled huts in execution of its decrees. Up to that time there can be no doubt that credit was freely given to persons who were possessed of tiled huts, because the creditor then knew that, in the event of the failure of the debtor to pay his debt, he had, through the intervention of this Court, a speedy and efficient remedy against the tiled hut in the possession of the debtor. It will be seen, from the accompanying comparative table of the classification of the more important suits during the last three years, that, as compared with the same classes of suits in the year 1873-74, there is in the year 1876-77 a considerable decrease in suits for goods sold and delivered, for bills of exchange and promissory notes, for money paid, for money lent, and for accounts stated. These are classes of suits which would more particularly be affected by the decision referred to. Up to the year under review, suits might still be brought in transactions entered into on the faith of the debtor possessing a tiled hut; but at the commencement of that year limitation on such suits would begin to run, and it is consequently natural that there should be a falling off. The same cause would also affect interpleader suits, for the narrower the field for the execution of decrees, the fewer will be the claims to property seized. It will be seen that there is some increase in the ordinary suits on contract, there being, generally speaking, suits on the more important mercantile contracts; and this, if it points to anything, points to greater activity in the better class of trading transactions. The decrease referred to is steady in suits below Rs. 500, while in suits of Rs. 1,000 and above that amount there is an increase. This shows, at all events, that the Court is still freely resorted to by the better classes of suitors for the adjudication of their claims.

CLASSES OF CASES.	1873-74.	1874-75.	1875-76.	1876-77.
Goods sold and delivered	13,448	14,316	13,418	12,530
Bills of exchange and promissory notes	1,906	1,976	1,929	1,714
Work and labour	2,352	2,350	2,301	2,315
Money paid	782	643	614	625
Money lent	4,649	4,720	4,609	4,536
Money had and received	897	803	691	670
Account stated	548	418	438	405
Guarantee	103	118	121	118
Contract	1,038	1,787	1,736	1,856
Use and occupation	2,641	2,448	3,085	3,083
Trover	693	607	523	566
Action in the case	1,227	710	689	639
Assault	353	245	241	246
Interpleader	377	317	339	304

We are also told that the decrease is due in some measure to the lower and ignorant classes of suitors having been deprived of the assistance of the law agents or suit-brokers, who, up to the year 1874, had freely practised in this Court. We cannot say how far this is correct, though it is possible that the exclusion of these men might have to a certain extent affected the institutions; at the same time we are not unaware that, while these men have been prohibited from coming in contact with the officers of the Court and from appearing in Court to act for their clients, they have not ceased to hover about the Court, and are said to have employed a sub-agency to conduct their business with the pleaders, at least with most of them; and if that be so, we fail to perceive how the absence of these men from the Court rooms alone can have affected genuine litigation. Nevertheless, we are free to admit, from what we know of the habits, manners, and customs of the people, that an agency subordinate to the advocate is sometimes as useful to a suitor in this Court as it is in the other courts of the country. Speaking generally, a mooktear renders great assistance to a suitor in various ways. But, however useful he might be to a suitor in this Court (and it is not every suitor who would avail himself of his services), we are not disposed to re-admit the men whom we have excluded, as we are quite satisfied that if their exclusion has produced no other result, it has at least, in a great measure, diminished the various kinds of malpractices which were alike detrimental to the interest of justice as they were to those of the ignorant suitors.

8. The business of the Court was distributed daily in the same manner as during last year, with this exception that for six months in the year cases between Rs. 100 and Rs. 500 were distributed as follows:—The First Bench, one-third or two-sixths of such cases; the Second Bench, one-third or two-sixths; and the Third and Fourth Benches, each one-sixth. By this distribution it was found that cases of the value referred to were disposed of more rapidly.

9. Before some of the Judges the file of postponed cases is somewhat larger than it was last year; but, at the same time, the number of cases postponed by the Court itself has considerably diminished. It is impossible for us to regulate postponements. On some days it happens that a large number of cases are *ex parte* or compromised, while those that are defended are few; on other days it happens that a large number of cases are defended, or perhaps one intricate and hotly-contested case occupies the Court for a whole day or more, and under such circumstances postponements must be made by the Court of its own motion.

10. The number of bench warrants has again decreased, being 42 as against 62 in the previous year.

11. The number of commissions sent to this Court for execution (*vide* table 15) have largely increased. These commissions are usually heard by the Fifth Judge, and the time occupied in taking the evidence of witnesses under the increased number of commissions would be about equivalent to the time which would have been occupied by the Fifth Judge had there been the same number of suits on his file as there were last year. These commissions, it may be remarked, bring no revenue to the Court.

We recommend, with reference to the proviso contained in section 383 of the new Code of Civil Procedure, that the Judges of the Courts issuing commissions to this Court be requested through the High Court, in all special cases, to direct the commission to some pleaders of the Court, as is now done in all the mofussil Courts under a general order of the High Court.

We have the honor to be,

SIR,

Your most obedient servants,

H. MILLETT,

KOONJO LALL BANERJEA,

GIDEON C. SCONCE,

GREESH CHUNDER GHOSE,

} *Judges.*

No. 1.—PART I.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-seventh year of its institution, viz. from 1st April 1876 to 31st March 1877.

MONTHS.	NUMBER OF SUITS INSTITUTED.		1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	English.	Native.																		Total.
1876.	April	420	1,923	2345	45	3,032	161	2,103	5	674	29	22	97	464	40	424	21	1117	1,16,539
	May	435	2,490	2870	51	3,047	170	2,755	4	784	37	32	57	500	17	493	26	1144	1,25,254
	June	531	2,813	3,143	47	4,144	174	2,770	4	813	34	36	103	523	25	487	25	1237	1,56,750
	July	629	2,945	2,945	43	3,253	154	2,602	5	925	34	38	102	523	24	499	25	1183	1,44,586
	August	671	3,336	4,207	57	5,564	185	3,392	4	894	37	43	128	571	40	581	26	1618	1,43,729
	September	840	1,829	1,829	43	2,476	156	1,861	4	883	24	38	33	61	11	552	15	1071	95,061
	October	172	939	1,111	54	1,498	84	1,856	4	221	16	26	20	12	2	86	8	1385	25,160
	November	579	2,751	3,351	44	4,310	164	2,042	2	922	21	26	22	137	16	483	26	1268	1,31,570
	December	401	1,723	2,194	44	2,900	118	1,915	1	655	22	43	36	75	15	427	20	1097	1,10,854
	January	417	2,072	2,489	49	3,220	122	1,951	2	395	17	115	21	50	10	545	18	1382	1,06,004
	February	478	2,576	2,649	50	3,727	128	2,501	3	689	36	40	32	79	11	448	23	1234	1,37,725
	March	543	2,518	3,101	48	3,840	146	2,611	3	789	37	55	25	50	30	480	24	1292	1,74,410
Total	5,033	27,006	32,640	47	42,605	1,649	27,750	32	8,777	42	536	360	1,032	5,379	247	5,132	261	12505	14,62,611
1877.																			

The Court was closed on account of Sundays
Christmas Day, H. M.'s Birthday, and Good Friday
Vacation in December, including New Year's Day
Hindoo holidays, including Dussehra vacation
Mahomedan holidays
Total number of days in which the Court was closed
Number of sitting days

82
6
9
80
7
104
291
365

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Comparative Table of Cases set down for hearing from 1st April 1875 to 31st March 1876, and from 1st April 1876 to 31st March 1877, showing how they are disposed of.

					Judgment for plaintiff.	Judgment for defendant.	Non-suit and struck off.	Com- promised.	Total.
April	...	{ 1875	...	...	1,877	112	528	1,163	3,180
		{ 1876	...	...	974	95	433	829	2,330
May	...	{ 1875	...	...	1,241	107	480	1,001	2,835
		{ 1876	...	...	1,218	112	554	1,050	2,964
June	...	{ 1875	...	...	1,423	168	605	1,287	3,473
		{ 1876	...	...	1,355	154	522	1,076	3,107
July	...	{ 1875	...	...	1,366	154	551	1,071	3,125
		{ 1876	...	...	1,307	146	460	1,031	2,911
August	...	{ 1875	...	...	1,524	129	537	1,183	3,378
		{ 1876	...	...	1,077	180	597	1,323	3,777
September	...	{ 1875	...	...	1,843	146	683	1,100	4,072
		{ 1876	...	...	1,170	110	451	1,008	2,739
October	...	{ 1875	...	...	118	10	61	44	236
		{ 1876	...	...	267	18	117	190	601
November	...	{ 1875	...	...	1,141	97	573	892	2,703
		{ 1876	...	...	1,418	167	593	1,110	3,318
December	...	{ 1875	...	...	1,110	00	372	882	2,464
		{ 1876	...	...	1,038	100	488	976	2,602
January	...	{ 1876	...	...	1,167	107	523	902	2,701
		{ 1877	...	...	863	703	412	639	2,017
February	...	{ 1876	...	...	1,314	122	470	1,108	3,020
		{ 1877	...	...	1,492	131	470	1,119	3,012
March	...	{ 1876	...	...	1,490	139	597	1,256	3,482
		{ 1877	...	...	1,381	158	498	1,143	3,179
Total	...	{ 1876	...	...	15,114	1,361	5,900	12,197	34,662
		{ 1877	...	...	13,900	1,504	5,507	11,501	32,592

Undecided, postponed after being called for hearing—

In 1875-76 1,166

„ 1876-77 1,814

Postponed after being partly heard in 1876-77 ... 427

Instituted towards the close of the year, but not returnable till after the close of the official year 787

1,214

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Statement showing the Number of Cases pending on the 31st March 1877.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.							Instituted before, but not returnable till after the close of the year.	Grand total.
	For service of summons.	For witnesses.	For attach- ment.	At the request of the parties to the suit.	Referred to arbitration.	By order of the Court.	Total.		
First Judge	7	6	...	25	21	25	84	...	...
Second „	11	...	...	8	7	...	26	...	...
Third „	29	11	...	19	38	18	115	...	...
Fourth „	19	10	1	87	32	16	165	...	...
Fifth „	3	2	...	4	...	28	37	...	...
Total	69	29	1	143	98	87	427	787	1,214

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

*Abstract Statement of Cases set down for hearing and disposed of from 1st April 1876 to
31st March 1877.*

MONTHS.	Judgment for plaintiff.	Judgment for defendant.	Struck off.	Non-suit.	Compromised.	Total number of cases dis- posed of.	Undecided.	Total number of cases instituted.
1876.								
April	974	95	238	196	828	2,330	.....	2,346
May	1,218	142	278	278	1,050	2,966	.....	2,975
June	1,355	154	245	277	1,076	3,107	.....	3,143
July	1,307	146	222	238	1,031	2,944	.....	2,946
August	1,077	180	346	251	1,323	3,777	.....	4,207
September	1,170	110	282	189	1,008	2,739	.....	1,929
October	287	18	82	35	199	601	.....	1,111
November	1,448	167	312	281	1,110	3,318	.....	3,351
December	1,038	100	282	206	976	2,602	.....	2,194
1877.								
January	603	103	250	163	630	2,017	.....	2,189
February	1,202	131	292	178	1,119	3,012	.....	2,819
March	1,381	158	261	231	1,142	3,179	.....	3,101
Total ..	13,990	1,504	3,082	2,515	11,501	32,592	1,214	32,840

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

No. 5.

*Comparative Statement of Commission and Fees realized and credited to Government in 1875-76
and in 1876-77.*

MONTHS.	1875-76.	MONTHS	1876-77.	Total increase of fees in 1876-77.	Total decrease of fees in 1876-77.	REMARKS.
	On account of fees received on the institution and prosecution of suits and on ac- count of dis- tresses for rent.		On account of fees received on the institution and prosecution of suits and on ac- count of dis- tresses for rent.			
1875.	Rs. A. P.	1876.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
April	17,627 12 9	April	14,245 0 6	.....	3,382 12 3	
May	15,513 1 9	May	16,936 12 9	1,123 11 0	.....
June	19,640 6 9	June	17,083 13 6	.....	1,956 9 3	
July	17,731 7 9	July	17,757 4 9	25 13 0	.....
August	18,732 9 0	August	23,907 5 0	5,174 12 0	.....
September	20,130 13 9	September	10,635 4 0	.....	9,495 9 9	
October	1,133 7 0	October	6,441 4 0	5,307 13 0	.....
November	18,009 12 0	November	18,014 6 6	1,004 10 6	.....
December	13,747 7 0	December	13,750 5 0	2 14 0	.....
1876.		1877.				
January	19,280 2 9	January	14,423 15 3	.....	4,856 3 6	
February	17,412 9 6	February	17,723 6 9	310 13 3	.....
March	17,431 15 9	March	17,143 5 9	.....	288 10 0	
Total	1,96,391 9 9	Total	1,80,363 3 9	12,950 6 9	19,979 12 9	

	Rs. A. P.		
Deduct increase ...	12,950	6 9	} or a decrease of more than 3½ per cent. over the receipts of last year.
Not decrease ...	7,029	6 0	

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Abstract Statement of Sums received and paid out to Suitors and others from 1st April 1876 to 31st March 1877.

1876.	Ra.	A. P.	1876.	Ra.	A. P.
To cash received on account of suitors, &c., in April,	23,448	12 0	By cash paid out to suitors, &c., in April,	22,114	13 6
Ditto ditto May,	26,061	8 1	Ditto ditto May,	25,807	11 3
Ditto ditto June,	24,718	14 4	Ditto ditto June,	23,008	9 7
Ditto ditto July,	29,279	13 3	Ditto ditto July,	28,323	0 0
Ditto ditto Aug.,	26,258	3 7	Ditto ditto Aug.,	24,880	4 11
Ditto ditto Sept.,	33,820	10 7	Ditto ditto Sept.,	31,701	14 5
Ditto ditto Oct.,	9,364	14 9	Ditto ditto Oct.,	8,930	2 0
Ditto ditto Nov.,	29,784	4 11	Ditto ditto Nov.,	20,726	1 3
Ditto ditto Dec.,	26,387	7 6	Ditto ditto Dec.,	24,530	9 4
1877.			1877.		
To cash received on account of suitors, &c., in Jan.,	22,380	7 0	By cash paid out to suitors, &c., in Jan.,	25,480	16 1
Ditto ditto Feb.,	22,455	12 1	Ditto ditto Feb.,	23,719	11 10
Ditto ditto Mar.,	30,048	14 3	Ditto ditto Mar.,	31,109	14 9
Total ..	3,03,920	10 4	Total ...	3,01,179	11 11

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Table showing the Nature of Cases heard and decided from 1st April 1876 to 31st March 1877.

	MONTHS.												Total.
	April 1876.	May 1876.	June 1876.	July 1876.	August 1876.	September 1876.	October 1876.	November 1876.	December 1876.	January 1877.	February 1877.	March 1877.	
Goods sold and delivered ...	990	1,085	1,121	1,123	1,382	1,092	247	1,551	999	728	1,205	1,305	12,539
Bills of exchange and promissory notes ...	111	154	184	156	230	137	36	161	133	105	151	153	1,714
Wages ...	152	238	212	249	241	189	34	239	166	162	192	212	2,274
Work and labour and materials ...	107	240	215	207	280	230	44	257	189	128	171	198	2,315
For money paid ...	41	37	50	62	61	37	9	51	40	44	45	52	625
Ditto lent ...	275	420	510	407	685	339	71	442	308	289	411	388	4,536
Ditto had and received ...	58	64	50	68	70	49	11	58	57	48	05	85	670
On an account stated ...	31	30	42	49	34	37	6	51	20	22	32	45	405
For use and occupation ...	211	298	287	270	313	273	48	325	225	191	314	293	3,083
For use and hire ...	21	25	25	25	27	28	9	31	26	20	29	50	316
On judgment ...	3	6	6	4	4	4	...	5	2	6	...	3	43
On guarantee ...	11	9	9	6	16	6	2	19	10	2	0	10	118
Partnership balance ...	2	2	2	1	4	3	...	2	...	...	2	2	20
Other actions on contract ...	102	178	188	148	333	131	24	208	174	127	191	171	1,856
Trover ...	39	43	59	33	60	51	17	71	41	34	55	57	560
Case ...	36	67	67	63	75	52	19	65	46	41	40	62	639
Trespass ...	...	1	2	...	...	1	...	1	1	...	...	...	6
Board and lodging ...	17	18	29	28	27	17	6	18	14	15	15	19	213
Assault ...	17	23	36	22	29	18	2	24	23	18	18	21	246
Cases under Distress Act of 1875 ...	...	...	1	...	...	...	...	...	...	...	...	...	1
Interpleader ...	29	26	10	27	39	29	12	14	27	32	27	23	304
Ejectment ...	8	15	12	17	20	18	4	26	20	10	25	18	193
Against executors ...	...	3	1	...	...	...	...	1	...	...	...	1	6
Covenants ...	...	...	...	...	...	...	...	...	...	...	...	...	...
Total ...	2,340	2,966	3,107	2,941	3,777	2,739	601	3,318	2,602	2,017	3,012	3,179	32,592

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

No. 8.

Statement showing the Statistics of the Distraint Department of the Court under Act I of 1875, from 1st April 1876 to 31st March 1877.

MONTHS.	Distraint compro- mised before ap- praisement.	Sales.	Distress set aside before ap- praisement.	Unexe- cuted.	Compro- mised after ap- praisement.	Distress set aside after ap- praisement.	Total number of distresses for rent.	Amount of rent for which distresses were made.	Commission and fees deposited.
1876.								Rs. A. P.	Rs. A. P.
April	15	4	....	3	3	....	25	1,522 15 6	238 8 0
May	19	4	3	8	5	....	39	3,357 14 10	497 4 0
June	17	7	2	4	1	....	31	1,908 0 6	302 4 0
July	28	8	2	4	1	....	41	3,075 0 6	460 8 0
August	33	0	2	5	4	....	50	3,523 7 3	545 4 0
September	27	4	1	4	2	1	39	2,617 11 0	405 12 0
October	12	5	1	2	1	....	21	1,546 8 9	242 4 0
November	33	4	2	5	5	....	49	3,877 14 4	593 12 0
December	15	4	....	....	3	....	22	2,234 11 9	330 12 0
1877.									
January	27	5	1	4	....	1	38	3,864 15 0	589 0 0
February	17	5	3	2	....	....	27	2,705 11 0	404 4 0
March	30	5	....	3	1	....	39	2,491 0 9	381 8 0
Total	271	61	17	44	25	2	421	32,743 15 2	4,977 0 0

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

No. 9.

Statement showing the amount of Fines from 1st April 1876 to 31st March 1877.

Months.	Amount.	Months.	Amount.
	Rs. A. P.		Rs. A. P.
April 1876	7 8 0	November 1876	16 8 0
May	10 0 0	December	18 0 0
June	2 0 0	January 1877	21 0 0
July	13 0 0	February	7 0 0
August	5 12 0	March	1 7 0
September	34 0 0		
October	10 8 0	Total	146 11 0

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

No. 10.

Statement showing the Salaries of the Judges, Costs of the Establishment, Contingent and other charges, from 1st April 1876 to 31st March 1877.

MONTHS.	Salaries of Judges.	Establishment charges.	Commission allowed to bailiffs.	Contingent charges.	Total.
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
1876.					
April	5,733 2 7	7,120 14 9	315 4 0	134 0 0	13,303 5 4
May	5,959 0 2	7,008 4 0	283 2 0	188 6 3	13,402 2 6
June	5,423 14 5	6,974 7 3	343 10 0	245 1 6	12,987 1 9
July	5,557 3 9	7,359 0 0	345 0 0	123 7 3	13,384 11 0
August	5,681 15 5	7,117 2 6	379 4 0	115 13 3	13,294 3 2
September	5,423 14 5	7,107 6 9	320 6 0	214 10 0	13,060 5 2
October	5,423 14 5	7,109 8 0	....	21 6 3	12,654 12 8
November	5,423 14 5	7,040 9 6	409 12 0	45 8 0	12,970 11 11
December	5,423 14 5	7,081 0 6	280 10 0	21 13 0	12,793 6 11
1877.					
January	5,423 14 5	7,211 0 0	414 14 0	88 11 9	13,138 8 2
February	5,523 4 6	7,108 3 8	203 0 0	75 4 3	12,906 11 11
March	5,573 14 5	7,109 9 9	257 2 0	89 11 3	12,973 6 5
Total	66,571 5 3	65,323 2 3	3,618 0 0	1,271 12 9	1,56,784 4 3

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Statement showing the Net Amount credited to Government from 1st April 1876 to 31st March 1877.

MONTHS.	Commission and fees paid in stamps, &c.	Fines.	Unclaimed suitors' money.	Savings and refunded charges.	Total amount credited.
1870.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April	14,245 0 6	7 8 0	152 14 6	.....	14,405 7 0
May	18,636 12 9	10 0 0	284 15 9	*0 10 0	18,932 6 6
June	17,683 13 6	2 0 0	159 0 3	.....	17,844 13 9
July	17,757 4 9	13 0 0	211 5 6	.....	17,981 10 3
August	23,907 5 0	5 12 0	245 15 6	.....	24,159 0 6
September	10,035 4 0	31 0 0	327 2 6	.....	10,998 6 6
October	6,441 4 0	10 8 0	.....	.....	6,451 12 0
November	19,014 6 6	16 8 0	291 8 0	.....	19,322 6 6
December	137,50 5 0	18 0 0	151 0 0	.....	13,919 5 0
1877.					
January	14,423 15 3	21 0 0	.....	.....	14,444 15 3
February	17,723 8 9	7 0 0	.....	.....	17,730 8 9
March	17,143 5 9	1 7 0	533 1 10	.....	17,677 14 7
Total	1,89,362 3 9	146 11 0	2,359 15 10	0 10 0	1,91,868 8 7

* Recovery of a charge made from contingencies.

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Statement of Indigent Debtors relieved from 1st April 1876 to 31st March 1877, prepared in conformity with Mr. Eden's letter No. 873T, dated 1st October 1863.

DATE AND MONTH.	Names of parties relieved.	Amount paid.
1876.		Rs. A. P.
9th June	Mrs. S. Starling	5 4 0
23rd "	G. A. Gomes	43 4 0
21st July	A. Fuller	12 8 0
3rd August	Mrs. C. E. Cannon	5 0 0
11th "	J. H. Fulger	22 6 6
18th "	Mrs. H. C. Row	6 0 0
16th "	Mrs. R. Vaux	6 0 0
10th November	J. R. DeCosta	2 0 0
15th "	Mrs. Kaulceenh, alias C. Mariana	7 11 9
7th December	Luckheemonee Bewah	16 4 0
9th "	S. DeCosta	48 12 0
1877.		
22nd February	E. A. Gomes	9 4 9
Total		182 7 0

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

No. 13.

Statement of the number of ex parte cases disposed of by the Judges of the Calcutta Court of Small Causes from 1st April 1876 to 31st March 1877.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1876.						
April	20	90	94	104	166	484
May	20	138	88	120	190	574
June	27	174	133	150	203	687
July	33	174	125	115	224	671
August	32	182	159	173	270	825
September	33	132	99	86	216	566
October	7	33	22	21	50	132
November	49	164	130	132	230	704
December	28	119	106	124	155	530
1877.						
January	27	107	84	83	153	454
February	32	127	131	131	208	627
March	39	148	129	151	198	664
Total	362	1,577	1,309	1,300	2,279	6,017

CALCUTTA COURT OF SMALL CAUSES.

The 27th June 1877.

C. Y. C. BOLST,

Additional Clerk of the Court.

Comparative

	1st Year. 1850-51.	2nd Year. 1851-52.	3rd Year. 1852-53.	4th Year. 1853-54.	5th Year. 1854-55.
	No.	No.	No.	No.	No.
Number of suits instituted { English	4,407	4,544	4,796	4,397	4,493
{ Native	10,910	23,205	22,085	20,058	20,201
Total	21,323	27,749	26,881	24,455	24,693
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated	4,47,381 0 0	5,31,499 12 4	5,17,063 5 10	5,08,820 11 10	5,25,139 5 4
Commission and fees paid into Court on institution of suits	69,531 14 6	73,938 8 9	73,763 13 0	73,212 14 3	75,870 7 9
Net amount of commission and fees credited to Government on suits	67,452 13 6	74,739 4 9	77,202 4 9	75,180 7 6	73,393 9 6
Ditto on distresses for rent	1,510 7 0	1,778 8 0	1,900 8 0	1,620 0 0	1,430 12 0
Amount credited to Government on account of fines	651 0 6	585 4 3	484 13 3	786 15 9	240 12 3
Ditto on account of unclaimed moneys belonging to suitors and landlords	...	...	...	...	...
Ditto on account of savings from salaries, sale of old furniture, records, &c.	207 6 0	712 0 3	100 9 3	...	995 3 8
Net total amount credited to Government in the cash account	50,822 1 0	77,875 1 3	79,757 3 3	77,596 7 3	75,760 5 5
Amount paid into Court under decrees, &c.	2,44,313 0 0	2,81,804 11 0	1,14,017 2 9	1,06,620 7 11	1,12,190 14 4
Ditto out of Court on account of decrees, &c.	2,43,605 0 0	3,79,736 2 9	1,12,594 4 9	1,08,112 6 6	1,11,347 0 6
	No.	No.	No.	No.	No.
Number of days on which the Court was open	258	274	277	200	235
Average number of cases instituted daily	82.6	101.2	96.6	94.0	105.0
Cases under Rs.	5	12,791	18,111	15,155	15,103
Ditto 10	20	3,363	4,399	4,431	4,392
Ditto 20	2,423	3,275	3,225	3,085	3,103
Ditto 50	792	918	1,028	992	1,095
Ditto 100	480	586	546	558	600
Ditto 200	186	224	217	222	213
Ditto 300	86	116	98	108	130
Ditto 400	67	100	95	104	97
Ditto 500	...	...	...	...	...
Ditto 600	...	...	...	...	...
Ditto 700	...	...	...	...	...
Ditto 800	...	...	...	...	...
Ditto 900	...	...	...	...	...
Ditto 1,000	...	...	...	...	...
Cases above	1,000	...	...	...	...
Number of summonses issued	51,889	68,174	65,863	59,118	58,951
Ditto second summonses issued	...	9,306	7,574	5,605	3,085
Ditto subpoenas issued	18,952	23,399	21,920	19,917	18,619
Ditto attachments issued	...	809	1,368	853	820
Ditto writs of execution issued	3,918	4,064	6,020	5,243	4,939
Ditto bench warrants issued	...	...	157	142	79
Ditto copies of judgments issued	167	215	226	176	137
Ditto commitments issued	418	624	1,040	611	623
Warrants to sue and defend filed	2,170	3,205	2,075	3,106	3,340
Judgment for plaintiffs	8,339	10,548	9,512	8,993	8,896
Ditto defendants	608	952	1,747	1,748	1,403
Non-suited	4,172	5,831	6,582	2,759	2,543
Struck out and compromised	6,655	10,222	9,419	11,583	11,168
Undecided and pending	383	880	284	406	156
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised	10,533 5 6	9,939 11 9	6,341 9 9	12,004 15 6	11,091 2 3

14.

Table.

6th Year, 1855-56.	7th Year, 1856-57.	8th Year, 1857-58.	9th Year, 1858-59.	10th Year, 1859-60.	11th Year, 1860-61.	12th Year, 1861-62.	13th Year, 1862-63.
No.	No.	No.	No.	No.	No.	No.	No.
5,617 21,121 27,938	6,254 22,413 28,666	5,834 25,009 30,543	5,456 24,506 29,956	6,452 25,885 32,287	6,524 25,253 31,777	6,670 26,674 33,224	6,282 27,299 33,581
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
6,63,241 11 11 90,814 10 3 90,323 9 3 1,513 4 0 253 14 8 28 0 9 9,115 12 9 1,39,973 15 7 1,10,190 7 3	7,38,111 2 6 1,01,464 2 9 1,00,801 14 0 1,000 0 0 493 5 3 785 4 9 15 9 0 1,03,006 1 6 1,72,072 0 8 1,70,817 14 2	8,01,824 0 0 1,12,778 12 9 1,12,624 6 9 1,157 0 0 343 5 9 9,720 13 3 255 9 5 1,24,101 3 2 1,98,324 7 1 1,98,643 0 10	7,05,412 11 1 1,09,260 7 6 1,07,918 0 0 839 0 0 292 8 0 1,868 0 3 88 2 9 1,10,915 11 9 1,81,662 0 10 1,84,681 3 2	9,75,003 0 9 1,33,317 7 6 1,28,992 15 3 1,482 12 0 191 12 0 1,467 12 10 8 15 6 1,32,144 3 7 2,16,926 14 10 2,16,302 0 2	9,78,939 4 10 1,39,247 12 6 1,30,079 3 9 1,529 8 0 125 0 0 1,431 14 3 6 1 8 1,39,165 11 8 2,29,051 5 4 2,18,821 13 11	11,19,418 6 0 1,58,436 0 3 1,57,258 5 3 11,187 4 0 330 0 0 2,314 2 10 10 4 1 1,61,160 5 2 2,48,762 7 1 2,41,001 3 3	10,54,228 11 7 1,49,970 0 6 1,40,725 12 6 1,553 5 0 263 1 9 3,058 4 9 0 12 3 1,54,599 7 3 2,37,291 0 11 2,38,380 8 5
No.	No.	No.	No.	No.	No.	No.	No.
254 1664 15,797 4,871 3,723 1,000 744 344 133 196 64,281 2,050 20,717 474 6,474 39 173 572 4,128 11,008 1,230 3,008 11,490 102	240 1165 16,325 5,174 4,088 1,511 903 331 173 161 67,087 1,887 22,812 246 7,168 30 184 609 4,700 2,211 1,022 3,208 11,927 190	250 1233 17,563 5,798 4,117 1,619 932 391 169 214 61,405 1,724 22,777 418 8,078 10 217 639 5,743 13,281 1,154 3,350 12,339 154	246 1217 16,097 5,860 4,745 1,718 932 387 172 185 70,612 1,368 23,979 357 7,694 14 238 639 4,574 12,447 1,112 2,696 13,131 91	249 1296 17,032 6,118 4,869 1,708 1,705 183 257 235 12,977 757 25,414 378 8,203 25 348 606 5,008 13,657 1,617 2,721 14,088 156	253 1256 16,995 5,791 5,019 2,100 1,114 510 266 252 12,351 834 24,723 455 8,088 18 431 509 5,025 13,048 1,726 3,448 13,847 179	250 1282 16,048 6,310 5,258 2,180 1,210 646 870 287 10,942 910 20,116 239 8,490 13 413 510 6,211 14,156 1,886 2,805 14,104 157	265 1367 19,889 5,086 4,136 2,372 1,378 590 306 224 13,042 1,219 30,670 132 8,264 15 352 510 5,350 14,175 1,980 3,046 14,725 167
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
11,846 0 0	12,908 6 0	14,779 13 0	14,722 0 0	17,889 5 3	18,918 3 0	22,865 14 6	22,074 4 6

	14th Year, 1863-64.	15th Year, 1864-65.	16th Year, 1865-66.	17th Year, 1866-67.	18th Year, 1867-68.	19th Year, 1868-69.
	No.	No.	No.	No.	No.	No.
Number of suits, English ...	6,408	6,820	7,236	6,244	6,593	6,912
instituted ... Native ...	28,172	29,128	30,099	27,707	23,621	26,797
Total ...	34,580	35,948	37,324	33,951	30,214	31,679
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated ...	12,10,923 6 11	17,08,551 4 7	20,20,394 4 3	17,32,378 12 0	16,46,704 4 10	16,98,639 4 0
Commission and fees paid into Court on institution of suits ...	1,61,593 15 0	2,17,400 0 6	2,33,371 3 3	2,00,994 1 6	2,11,840 2 6	2,21,692 2 3
Net amount of commission and fees credited to Government on suits ...	1,63,728 2 0	2,12,255 13 9	2,26,522 5 9	1,98,760 7 6	2,10,540 0 6	2,21,311 4 3
Ditto on distresses for rent ...	1,274 12 0	1,239 8 0	2,312 12 0	2,745 4 0	1,639 8 0	1,265 1 6
Amount credited to Government on account of fines ...	102 7 0	345 12 6	114 8 0	283 2 3	141 8 0	262 0 0
Ditto on account of unclaimed moneys belonging to suitors and landlords ...	3,106 1 6	3,517 1 2	1,720 2 5	3,330 5 3	4,256 14 11	1,350 1 5
Ditto on account of savings from salaries, sale of old furniture, records, &c. ...	192 5 3	57 10 0	209 11 0	109 5 0	17 14 0	19 12 0
Net total amount credited to Government in the cash account ...	1,68,403 11 9	2,17,475 13 5	2,30,879 7 2	2,05,228 8 0	2,16,595 13 5	2,27,211 8 8
Amount paid into Court under decrees, &c. ...	2,57,248 7 6	3,18,391 2 5	3,14,584 7 0	2,68,476 12 5	3,04,351 13 9	3,06,719 9 1
Ditto out of Court on account of decrees, &c. ...	2,55,074 7 5	3,43,264 14 0	3,17,521 12 10	2,66,356 12 2	3,02,320 5 0	3,11,709 8 1
	No.	No.	No.	No.	No.	No.
Number of days on which the Court was open ...	267	281	263	210	251	253
Average number of cases instituted daily ...	130.6	137.7	141.9	141.46	118.95	125.22
Cases under Rs. ...						
Ditto 5 ...	19,834	20,561	21,768	19,807	16,298	12,699
Ditto 10 ...	6,199	5,721	6,281	5,610	5,257	6,656
Ditto 20 ...	3,494	3,379	4,080	3,154	3,512	6,094
Ditto 50 ...	2,630	2,882	2,480	2,278	2,011	2,664
Ditto 100 ...	1,205	1,471	1,563	1,118	1,093	1,723
Ditto 200 ...	765	807	693	689	576	655
Ditto 300 ...	465	414	447	441	357	355
Ditto 400 ...	568	256	302	222	288	269
Ditto 500 ...	6	161	110	153	187	168
Ditto 600 ...	2	121	154	124	153	151
Ditto 700 ...	2	90	139	105	137	108
Ditto 800 ...	3	70	122	93	129	90
Ditto 1,000 ...	3	104	145	109	115	125
Cases above 1,000 ...	41,789	46,807	48,218	43,601	39,810	40,851
Number of summonses issued ...	1,425	1,207	1,515	975	1,005	1,310
Ditto second summonses issued ...	31,437	30,882	35,302	25,721	29,484	30,364
Ditto subpoenas issued ...	133	74	24	21	14	12
Ditto attachments issued ...	9,128	9,493	9,000	7,925	7,436	7,291
Ditto writs of execution issued ...	17	25	23	7	8	3
Ditto bench warrants issued ...	370	368	434	433	377	420
Ditto copies of judgments issued ...	520	573	580	600	381	321
Warrants to sue and defend filed ...	5,950	6,108	5,820	4,215	3,781	4,440
Judgment for plaintiffs ...	14,888	15,323	16,138	14,808	13,009	13,376
Ditto defendants ...	2,182	2,023	1,815	1,483	1,565	1,562
Non-suited ...	2,863	2,913	3,520	3,740	3,696	3,766
Struck out and compromised ...	15,129	15,612	15,882	13,434	12,570	12,944
Undecided and pending ...	169	153	171	1,680	1,939	1,070
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised ...	24,071 3 9	30,194 0 10	35,568 3 3	27,419 7 3	29,462 10 3	31,083 11 9

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1877.

14.

Table—(concluded).

20th Year, 1869-70.	21st Year, 1870-71.	22nd Year, 1871-72.	23rd Year, 1872-73.	24th Year, 1873-74.	25th Year, 1874-75.	26th Year, 1875-76.	27th Year, 1876-77.
No. 6,695 27,645	No. 6,447 25,892	No. 6,384 23,162	No. 6,506 28,277	No. 5,940 28,643	No. 5,802 29,091	No. 5,883 28,619	No. 5,672 27,098
54,340	32,339	31,536	34,413	34,593	34,993	34,502	32,640
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
16,49,525 15 5	16,07,311 8 7	15,28,938 10 2	16,23,110 7 11	16,11,335 5 1	15,70,142 10 7	15,82,873 2 10	14,42,611 11 8
2,45,036 14 6	2,36,626 4 0	2,25,860 6 6	2,17,396 7 0	2,35,956 9 6	2,33,758 13 0	2,36,071 13 0	2,25,235 11 0
2,26,040 7 3	2,07,708 3 0	1,97,400 5 6	2,15,218 4 0	2,02,865 7 0	1,90,116 14 9	1,96,391 9 9	1,89,362 3 9
169 10 0	111 0 0	85 4 0	114 12 6	54 8 0	199 12 0	72 0 0	146 11 0
5,797 8 9	5,477 4 0	5,543 15 9	7,031 1 3	4,950 3 0	4,939 7 3	2,511 4 3	2,356 16 10
13 8 0	5 6 0		144 9 6	4 1 0	314 11 6	....	9 10 0
2,32,021 2 0	2,13,301 13 9	2,03,038 9 3	2,22,524 13 9	2,07,774 3 0	2,04,574 13 0	1,99,256 14 0	1,91,866 8 7
3,30,084 11 4	3,06,860 11 9	3,76,171 1 6	4,08,612 6 4	3,41,187 2 3	3,39,780 0 2	3,06,934 3 4	3,03,920 10 4
3,96,035 3 6	3,08,056 1 6	3,69,432 15 9	3,99,836 5 7	3,32,970 11 10	3,39,561 5 6	3,08,801 2 3	3,01,479 11 11
No.	No.	No.	No.	No.	No.	No.	No.
254	248	245	264	263	260	268	261
136 19	130 3	124 7	131 9	130 3	134 5	129 7	125 03
14,136	13,286	6,805	7,839	7,717	8,247	8,003	7,395
7,944	6,741	6,652	7,182	6,908	6,946	6,998	6,622
6,610	6,239	6,618	7,174	7,492	7,316	7,217	6,825
2,762	2,649	6,034	6,550	6,499	6,514	6,408	6,188
1,617	1,600	2,412	2,710	2,704	2,694	2,577	2,491
457	662	1,198	647	1,652	1,560	1,684	1,551
334	362	656	647	612	613	896	886
260	232	335	307	335	341	309	294
190	163	202	221	190	214	142	165
127	124	172	170	172	171	166	167
110	95	110	136	95	110	103	103
65	89	87	87	89	73	90	87
		60	73	61	78	80	45
						63	73
129	137	97	109	89	97	41	44
43,688	40,883	39,729	44,136	43,085	46,056	43,091	42,005
1,286	1,517	1,508	1,510	1,184	1,417	1,661	1,649
30,229	31,435	31,631	32,918	32,781	29,029	29,886	28,690
16	13	39	47	44	50	29	32
8,654	8,392	8,500	9,250	8,057	9,269	9,475	8,777
4	7	2	56	84	100	62	42
511	570	484	419	486	402	408	336
507	363	358	428	496	569	420	373
5,677	6,343	5,886	6,897	6,463	5,608	5,809	5,379
15,807	14,106	14,900	16,182	14,761	15,827	15,114	13,900
1,444	1,354	1,397	1,450	1,383	1,322	1,361	1,504
3,386	3,173	3,221	3,548	3,569	3,195	3,016	2,515
13,530	13,106	12,709	14,383	14,616	15,273	15,172	14,583
1,154	1,609	876	1,206	1,460	1,326	1,168	1,214
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
28,958 0 3	31,122 4 6	29,919 0 0	34,523 1 3	34,349 10 9	37,061 8 0	36,680 3 3	35,873 7 8

C. Y. C. BOLST,
Additional Clerk of the Court.

Statement showing the number of Mofussil Commissions issued to the Calcutta Court of Small Causes under Section 177 of Act VIII of 1859 for the year 1876-77.

MONTHS.	Number of commissions received.	Number of commissions executed.	Number of witnesses examined.	By what Judge disposed of
April 1876	28	16	31	Fifth Judge.
May "	21	15	24	Ditto, and two by pleaders of this Court.
June "	14	11	23	Ditto, ditto.
July "	26	17	30	Ditto, ditto.
August "	26	15	34	Ditto, and five ditto.
September "	22	16	38	Ditto, and four ditto.
October "	4	3	6	Ditto only.
November "	30	17	40	Ditto, and four ditto.
December "	27	14	33	Ditto only.
January 1877	21	14	27	Ditto "
February "	18	13	19	Ditto "
March "	26	17	22	Ditto "
Total ..	260	172	330	

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1877.

C. Y. C. BOLST,

Additional Clerk of the Court.

Statement showing the number of After-Judgment Processes, including Attachments, issued during the year, from 1st April 1876 to 31st March 1877.

1	2	3	4	5	6	7	8
	Number of processes applied for.	Number in which money was deposited after processes applied for, but before execution.	Number executed.	Number unexecuted and returned with the remarks "no/a bona" and "not est inventus."	Number of writs applied for, but not carried into execution by the parties themselves.	Number pending on 31st March 1877.	Total number of columns 3 to 7
Seal warrants	3,110	104	2,510	293	173	30	3,110
Body " " " " " "	5,699	214	2,089	2,078	572	116	5,699
Total ..	8,809	318	5,199	2,371	745	146	8,809
Copies of judgment and certificates for execution out of the jurisdiction of the Court							330

	Seal Warrants.	Body Warrants.
By 3 European Bailiffs	611	863
" 4 Native Seal " " " "	1,899	.....
" 40 Body Warrant " " " "	.....	1,826
	<u>2,510</u>	<u>2,689</u>

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1877.

C. Y. C. BOLST,

Additional Clerk of the Court.

No. 17.

Statement shewing the Number of Cases decided wholly and partially in favour of Plaintiffs by each Judge from 1st April 1876 to 31st March 1877.

		First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1876.							
April	{ Wholly	52	150	183	177	231	793
	{ Partially	10	56	40	49	17	181
May	{ Wholly	65	219	185	218	275	950
	{ Partially	15	98	50	67	40	268
June	{ Wholly	61	200	240	232	281	1,107
	{ Partially	14	66	69	79	31	248
July	{ Wholly	54	208	253	178	302	1,055
	{ Partially	11	88	46	74	35	252
August	{ Wholly	50	352	291	298	389	1,380
	{ Partially	20	86	67	78	37	268
September	{ Wholly	54	230	209	169	314	976
	{ Partially	8	71	48	33	31	194
October	{ Wholly	14	58	49	81	73	228
	{ Partially	4	13	10	6	6	39
November	{ Wholly	76	257	252	239	369	1,183
	{ Partially	23	91	55	53	43	265
December	{ Wholly	46	190	190	189	224	839
	{ Partially	12	80	10	43	18	180
1877.							
January	{ Wholly	49	170	118	135	207	569
	{ Partially	11	63	29	47	14	154
February	{ Wholly	62	214	238	255	295	1,064
	{ Partially	41	75	61	48	23	228
March	{ Wholly	57	267	257	252	288	1,110
	{ Partially	20	102	59	54	27	262
Total	{ Wholly	642	2,065	2,495	2,374	3,236	11,412
	{ Partially	169	675	678	631	325	2,678

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

No. 18.

Statement shewing the Number of Cases instituted before each Judge from 1st April 1876 to 31st March 1877.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1876.						
April	124	531	519	409	673	2,340
May	121	688	665	661	840	2,975
June	146	714	713	711	859	3,143
July	150	713	646	636	800	2,945
August	167	609	934	928	1,179	4,207
September	106	434	414	399	576	1,929
October	40	262	244	238	321	1,111
November	171	738	699	725	1,018	3,351
December	139	514	513	485	543	2,194
1877.						
January	133	561	561	559	684	2,499
February	171	668	651	634	725	2,849
March	162	681	608	722	868	3,101
Total	1,066	7,473	7,227	7,188	9,066	32,040

CALCUTTA COURT OF SMALL CAUSES,
The 27th June 1877.

C. Y. C. BOLST,
Additional Clerk of the Court.

Cases referred for the opinion of the High Court.

CAUSE TITLE.	By the Court of its own motion.	By the Court at the request of the parties.	REMARKS.
Sib Chunder Mullick <i>vs.</i> Krisenjoyal Oparthen, &c.	... ..	1	Returned for new trial.
The Cossipore Press Company, "Limited," <i>vs.</i> Sumbo Chunder Roy, &c.	.....	1	Reversed.
D. MacGillivray <i>vs.</i> "Jalima Assam Tea Company, "Limited"	.. ..	1	Returned for new trial.
H. Mackintosh <i>vs.</i> B. Hunt	1	.....	Partly confirmed, partly reversed.
Kelly & Co. <i>vs.</i> Nicol, Fleming & Co.	.....	1	Confirmed.
Total	1	4	

The above cases were all referred by the First Judge.

CALCUTTA COURT OF SMALL CAUSES,

The 27th June 1877.

C. Y. C. BOLST,

Additional Clerk of the Court.

JUDICIAL.

CALCUTTA, THE 30TH JULY 1877.

RESOLUTION.

READ—

Report on the Calcutta Court of Small Causes for 1876-77.

THE report now submitted shows a great falling off in the number of cases instituted. Altogether 32,640 suits were brought, as against 34,502 in 1875-76 and 34,843 in 1872-73. The amount in litigation was Rs. 14,42,611, against Rs. 15,82,873 and Rs. 16,23,110. The diminution in the number of suits is chiefly observable under the heads of goods sold and delivered, bills of exchange and promissory notes, money paid, money lent, money had and received, and account stated.

2. The Judges have offered what appears to the Lieutenant-Governor to be probably a correct explanation of the marked decrease in the number of suits of the smaller values. It was decided by the High Court in April 1873 that the Court of Small Causes has no power to seize tiled huts in execution of its decrees. This ruling removed from the operation of the law an important item of security theretofore tendered by debtors, and the result was a falling off in the extent of the credit allowed them. The full effect of the decision in question was not observed until the beginning of the past year, when limitation began to bar the institution of suits brought on transactions which had been entered into on the faith of the debtor possessing a tiled hut. The influence of this ruling may also be traced in the diminished number of interpleader suits, which naturally decrease as restrictions are imposed on the execution of decrees. The Judges think it possible that institutions may have been to some extent affected by the exclusion of touters or suit-brokers. Mr. Eden is disposed to consider the removal of these persons an unmixed good. It is not clear that their absence can have had any tangible effect on the number of claims advanced. Their attentions must necessarily have been confined to persons actually visiting the Small Cause Courts, and such persons would require no special encouragement to induce them to institute their cases. Mr. Eden quite agrees with the Judges in thinking that the gain to the interests of justice and fair dealing much exceeds any theoretical disadvantages attending on the suppression of this class of practitioners.

3. But the causes to which the falling off in the number of suits of the lower values is attributed will not account for the decrease in the higher class of suits. A comparison of the institutions in this class of cases during the past four years stands thus:—

		1873-74.	1874-75.	1875-76.	1876-77.
Rs. 500 to Rs. 1,000	...	480	473	502	485
Above Rs. 1,000	...	27	36	41	44
		—	—	—	—
Total	...	507	509	543	529
		—	—	—	—

The Lieutenant-Governor would have expected a large increase in litigation of this class owing to the great impetus which the export trade has received during the past year.

4. The results of the trials seem to show that unfounded and harassing claims are still advanced, most of them, of course, for small amounts. During the past two years cases have been disposed of with the following results :—

	1876-77.	1876-77.	
For plaintiff after trial ...	7,789	7,073	
„ „ <i>ex parte</i> ...	7,325	6,917	
Compromised ...	12,197	11,501	
Non-suited ...	3,015	2,515	} Against plain- tiff, 7,351. { Against plaintiff, 7,101.
Dismissed after trial ...	1,361	1,504	
„ in default of plaintiff ...	2,975	3,082	
Total ...	34,662	32,592	

5. The number of commissions received by the court has increased from 226 in the previous year to 266 in 1876-77. The Judges draw attention to the discretion allowed to the issuing court by section 385 of the new Civil Procedure Code to select any person whom it thinks fit, and they asked that the High Court may be moved to direct the Judges of the different courts to issue the commissions, when practicable, to some pleaders of the court. The Hon'ble Judges of the High Court will be consulted on this point.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes, and that a reference be made to the High Court as indicated in paragraph 5.

By order of the Lieutenant-Governor of Bengal,

S. C. BAYLEY,

Secretary to the Government of Bengal.

No. 3574.

COPY forwarded to the Judges of the Calcutta Court of Small Causes for information and guidance.

By order of the Lieutenant-Governor of Bengal,

COLMAN MACAULAY,

Offg. Junior Secy. to the Govt. of Bengal.

CALCUTTA,
The 30th July 1877.

REPORT



CALCUTTA COURT OF SMALL CAUSES,

FOR THE YEAR

1875-76.



Calcutta:

PRINTED AT THE BENGAL SECRETARIAT PRESS.

1876.

No. 6.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

To

THE SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Fort William, the 9th June 1876.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the annual report of the business of the Court for the year 1875-76 ending 31st March last.

The number of cases instituted in the Court during the year was 34,502, being a decrease of 481 cases as compared with the number instituted during the year ending 31st March 1875. The average number of cases for each day was 129.7.

It will be seen from the comparative table in the following paragraph that the decrease has been chiefly in suits below Rs. 500, while those above that sum have increased; so that while the actual institution of suits has decreased, the value of the property in litigation has increased.

The following comparative table shows the increase and decrease of institutions during the year:—

VALUE OF SUITS.								In 1874-75.	In 1875-76.	Increase.	Decrease.
Under Rs.	5	...	...	...	...	...	...	8,287	8,093	...	194
"	10	...	...	...	...	...	...	8,946	8,988	52	...
"	20	...	...	...	...	...	...	7,316	7,217	...	99
"	50	...	...	...	...	...	...	6,614	6,403	...	211
"	100	...	...	...	...	...	...	2,883	2,577	...	306
"	200	...	...	...	...	...	...	1,680	1,584	96	...
"	300	...	...	...	...	...	...	613	588	25	...
"	400	...	...	...	...	...	...	331	309	22	...
"	500	...	...	...	...	...	...	314	182	132	...
"	600	...	...	...	...	...	...	161	186	25	...
"	700	...	...	...	...	...	...	110	103	7	...
"	800	...	...	...	...	...	...	78	90	12	...
"	900	...	...	...	...	...	...	78	80	2	...
"	1,000	...	...	...	...	...	...	61	63	2	...
Above	1,000	...	...	...	...	...	...	86	41	45	...
Total								34,083	34,502	419	598
Deduct increase								...	...	...	117
Net decrease								...	...	...	481

In the statement of the classification of suits we find there is a falling off of about 500 in suits for goods sold and delivered, while suits in respect of other matters remain, with slight variations, much the same as they were during last year. We cannot say that we are able to account for such falling off.

The amount in litigation was Rs. 15,82,873-2-10. Rs. 3,06,934-3-4 were paid into Court and Rs. 3,08,801-2-3 were paid out of Court.

				Ra.	A.	P.
The receipts on account of commission and fees, &c., have been ...				1,99,256	14	0
<i>Deduct.—</i>						
Salaries of the Judges	...	...	...	61,844	9	0
Cost of establishment	...	...	...	85,288	15	10
Contingent expenses	...	...	...	1,094	12	9
Bailiffs' commission	...	...	...	3,737	6	0
Total				...	...	...
				1,51,965	11	7
Balance at the credit of the Court				...	...	...
				47,291	2	5

The disposal of cases set down for hearing during the year is exhibited as follows:—

Number of cases pending in 1874-75	...	...	...	1,326
Ditto instituted in 1875-76	...	...	...	34,502
				35,828
Decided in favour of plaintiffs after trial	...	...	7,789	
Ditto ditto <i>ex parte</i>	...	...	7,325	
Dismissed after trial	...	...	1,361	
Nonsuited	...	...	3,015	
Compromised	...	...	12,197	
Struck off in default of plaintiffs	...	...	2,975	
Pending at the close of the year	...	...	1,166	
				35,828

All amendments and suggestions with respect to any proposed legislation in respect of Small Cause Courts in the presidency towns have already been fully dealt with in our letter No. 39, dated the 25th January 1876.

The total amount of distrainments for rent under Act I of 1875 has been 393, showing an increase of 58 as against the previous year, and it is thought necessary to refer to this because the year under review has been the first complete year in which the Act in question has been in force. There has been only one distrainment for rent above Rs. 1,000.

The business of the Court has been distributed daily in the following manner:—

The First Bench—*i.e.*, the First Judge—all cases above Rs. 500 and three-sixths, or one-half, of all cases between Rs. 500 and Rs. 100.

The Second, Third, and Fourth Benches, one-sixth each of all cases between Rs. 500 and Rs. 100; one-third each of all cases from Rs. 100 to Rs. 10; and one-sixth each of all cases from Rs. 10 to Rs. 5.

The Fifth Bench—*i.e.*, the Fifth Judge—three-sixths of all cases from Rs. 10 to Rs. 5, and all cases not exceeding Rs. 5.

Statement No. 18 will show the number of cases instituted before each Judge last year in conformity with the mode of distribution referred to above.

The above distribution has been adhered to during the year under review, but it must necessarily be subject from time to time to alteration in accordance with the state of the files of the various Benches, in order to expedite the business of the Court and save suitors from the inconvenience of lengthy postponements.

The number of bench warrants has somewhat decreased, being 62 as against 109 of the previous year. Considerable caution is now exercised as regards these warrants, and, looking at the large number of suits instituted, we do not think the number issued is out of place.

With a view to meet the wishes of Government, we have endeavoured to select some persons to act as mooktears or agents recognized by the Court. As yet we have only been able to fix upon two such men as to whose capabilities and character the Judges, from information they received, were able to place some reliance. We further asked the assistance of eight of the leading Pleaders of the Court, whose business brought them most frequently and prominently

before the Courts, to assist us in selecting such men out of those who, without being recognized by the Court, or having the status of mooktears, had frequented the Court and been employed as such. After much consideration these gentlemen suggested that several of the persons who had walked the Court as suit-brokers or touters might be admitted as suit-brokers, believing that they had acted hitherto with average fairness as such; but they could not recommend that they should receive the recognized status and position which admitting them as mooktears would give them. Under these circumstances we have deemed it advisable to adhere to the rule which we have before proposed, viz. to admit no one to practise as a mooktear or agent recognized by the Court who does not produce a certificate that he is permitted to practise as such in the High Court and in Courts subordinate to the High Court. Already two persons have taken advantage of this rule, and we can only hope that in due course of time more may eventually do so, and that such authorized persons may altogether supplant those unauthorized persons whom it is almost impossible effectually to exclude from the precincts of courts of justice.

We have added a table showing the number of cases referred to the High Court during the year, and how they were disposed of.

We, the surviving colleagues of Mr. G. S. Fagan, late First Judge of this Court, cannot conclude this report without placing on record our extreme regret and deep sense of the loss which we have sustained by his death. His genial and kindly nature had greatly endeared him to us and to others with whom he came in official contact. His eminent public services were too well known to the Government and to the public to require special comment at our hands.

We have the honor to be,

SIR,

Your most obedient servants,

H. MILLETT, KOONJO LALL BANERJEA, GIDEON C. SCONCE, T. DURANT BEIGHTON,	}	<i>Judges.</i>
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No. 1.—PART I.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-sixth year of its institution, viz. from 1st April 1875 to 31st March 1876.

MONTHS.	NUMBER OF SUITS INSTITUTED.			1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17
	English.	Native.	Total.																	
				The English cases bear to the native cases the ratio of	Number of summonses issued.	Number of second sum- monses issued.	Number of subpoenas issued.	Number of attachments issued.	Number of writs of execution issued.	Number of bench warrants issued.	Number of copies of Judge- ments issued.	Number of commitments issued.	Number of releases issued.	Number of cases referred to arbitration.	Number of warrants to seize and defend filed.	Number of powers filed by Attorneys.	Number of powers filed by Pleaders.	Number of days in which the Court was open.	Average number of suits instituted.	Amount litigated in the suits instituted.
1875.																				
April ..	540	2,525	3,065	48	3,773	131	9,516	5	777	14	38	35	33	57	516	28	488	24	127.7	1,56,609 11 0
May ..	532	2,579	3,111	45	3,633	136	9,780	1	794	9	45	37	31	65	537	35	498	24	116.04	1,52,398 15 11
June ..	531	2,899	3,430	53	4,339	146	11,153	1	798	7	41	43	27	86	643	27	515	24	122.3	1,45,594 1 10
July ..	508	2,843	3,351	53	4,298	156	9,812	2	835	10	40	43	27	86	587	27	524	27	124.07	1,49,501 15 9
August ..	545	2,862	3,407	54	4,359	159	9,954	2	854	10	39	43	27	86	572	27	524	27	124.16	1,53,563 10 5
September ..	671	3,589	4,260	41	4,367	164	11,177	2	1,177	5	30	47	27	86	757	43	635	25	135.5	1,60,781 10 2
October ..	29	103	132	36	170	16	53	.....	146	.....	4	30	31	7	159	4	65	25	33	8,661 14 6
November ..	532	2,149	2,681	49	3,926	98	2,503	.....	830	.....	27	53	32	91	334	18	316	23	126.7	1,43,168 6 4
December ..	366	1,617	1,983	608	3,675	136	2,503	3	673	2	26	38	23	98	469	19	477	19	168.9	1,56,724 9 5
1876.																				
January ..	580	2,467	3,047	44	3,968	128	2,441	6	821	5	28	27	18	69	516	49	476	21	147.6	1,53,581 7 0
February ..	598	3,328	3,926	47	3,977	141	2,579	2	794	3	43	27	15	75	529	27	492	21	145.6	1,45,269 3 3
March ..	516	2,537	3,053	56	4,317	201	2,641	2	925	6	43	33	36	85	534	21	515	26	139.1	1,41,740 6 3
Total ..	5,833	23,619	29,452	48	43,681	1,681	20,896	23	9,475	62	498	429	356	578	5,869	329	5,379	266	129.7	14,82,873 2 10

The Court was closed on account of Sundays
Christmas Day and H. M.'s Birthday ..
Vacation in December, including New Year's Day ..
Hindoo holidays, including Dussehra vacation ..
Mahomedan holidays ..

Total number of days in which the Court was closed
Number of sitting days ..

53	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
2	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
9	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
29	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
8	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
100	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
266	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..
Total	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..	..

CALCUTTA COURT OF SMALL CAUSES,

The 9th June 1876.

THOMAS JONES,

Offg. Fifth Judge and Clerk of the Court.

No. 1.—PART II.

Abstract Statement of the Statistics of the Calcutta Court of Small Causes for the twenty-sixth year of its institution, from 1st April 1875 to 31st March 1876.

MONTHS.	GRADUATED DIGEST OF CASES INSTITUTED.												DISPOSAL OF SUITS SET DOWN FOR HEARING.						Commission and fees paid in stamps in suits instituted.	Rs. A. P.	Rs. A. P.	Amount of half costs re- limited to suitors in cases compromised before hearing by order of the Judge.														
	Under Rs. 5.	Under Rs. 10.	Under Rs. 20.	Under Rs. 30.	Under Rs. 400.	Under Rs. 500.	Under Rs. 600.	Under Rs. 700.	Under Rs. 800.	Under Rs. 900.	Under Rs. 1,000.	Above Rs. 1,000.	Total.	Judgment for plain- tiff.	Judgment for defend- ant.	Struck off.	Nonsuited.	Compromised.					Pending.	Total.												
1875.	April	759	613	602	596	231	133	57	17	15	19	9	13	5	3	6	3,006	1,277	112	247	251	1,102	1,001	1,001	1,102	3,190	20,720	5	0	Rs. A. P.	5,092	8	3	5,092	8	3
	May	661	572	650	535	233	127	56	23	16	11	10	2	10	4	3	2,901	1,241	107	313	273	1,001	1,001	1,001	1,102	2,553	20,151	14	6	Rs. A. P.	4,534	12	0	4,534	12	0
	June	763	703	732	647	261	173	69	39	21	13	14	6	7	4	3	3,440	1,453	108	323	273	1,257	1,001	1,001	1,102	2,553	20,151	10	0	Rs. A. P.	4,534	12	0	4,534	12	0
	July	797	730	679	639	259	136	46	23	21	12	5	12	0	11	4	3,360	1,366	131	273	272	1,074	1,001	1,001	1,102	2,553	20,151	10	0	Rs. A. P.	4,534	12	0	4,534	12	0
	August	859	724	704	664	343	141	64	29	17	19	3	9	8	7	7	3,440	1,366	124	241	246	1,108	1,001	1,001	1,102	2,553	20,151	9	6	Rs. A. P.	4,534	12	0	4,534	12	0
	September	753	725	734	630	259	134	65	31	21	15	17	9	1	7	7	3,440	1,366	146	241	246	1,108	1,001	1,001	1,102	2,553	20,151	9	6	Rs. A. P.	4,534	12	0	4,534	12	0
	October	14	19	27	26	23	11	4	5	5	13	7	4	3	6	2	1,333	1,118	10	33	31	44	1,001	1,001	1,001	255	1,456	10	0	Rs. A. P.	4,534	12	0	4,534	12	0
	November	829	603	615	572	269	141	55	37	12	13	9	7	3	6	2	3,149	1,141	87	312	261	902	1,001	1,001	1,102	2,703	20,333	7	0	Rs. A. P.	2,703	11	0	2,703	11	0
	December	450	404	387	354	172	115	42	23	15	12	6	4	3	6	2	2,013	1,110	90	214	153	882	882	882	882	2,454	16,374	11	6	Rs. A. P.	2,454	11	6	2,454	11	6
1876.	January	633	579	654	536	235	132	53	24	22	18	8	12	8	6	7	3,017	1,107	107	292	256	902	902	902	902	2,704	22,545	3	0	Rs. A. P.	3,063	0	3	3,063	0	3
	February	633	641	633	534	207	133	47	20	17	17	10	8	7	7	3	3,063	1,314	121	241	235	1,108	1,108	1,108	1,108	3,020	20,814	6	0	Rs. A. P.	3,405	13	6	3,405	13	6
	March	813	673	714	603	237	129	39	26	11	15	12	9	6	6	1	3,317	1,490	139	256	302	1,256	1,108	1,108	1,108	3,452	21,451	3	0	Rs. A. P.	4,019	2	8	4,019	2	8
	Total	8,003	6,968	7,217	6,403	2,577	1,584	536	209	182	166	163	90	80	63	41	34,508	15,114	1,361	2,975	3,015	12,197	12,197	12,197	12,197	34,662	2,36,071	13	0	Rs. A. P.	39,680	3	3	39,680	3	3

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 2.

Comparative Table of Cases set down for hearing from 1st April 1874 to 31st March 1875, and from 1st April 1875 to 31st March 1876, showing how they are disposed of.

					Judgment for plaintiffs.	Judgment for defendants.	Nonsuit and struck off.	Compromised.	Total.
April	...	{ 1874	...	...	1,321	100	586	1,285	3,301
	...	{ 1875	...	...	1,377	112	529	1,163	3,180
May	...	{ 1874	...	...	1,289	116	491	997	2,893
	...	{ 1875	...	...	1,241	107	486	1,001	2,835
June	...	{ 1874	...	...	1,370	119	507	995	2,991
	...	{ 1875	...	...	1,423	168	596	1,287	3,473
July	...	{ 1874	...	...	1,633	181	741	1,331	3,886
	...	{ 1875	...	...	1,380	134	551	1,074	3,125
August	...	{ 1874	...	...	1,635	144	601	1,210	3,690
	...	{ 1875	...	...	1,524	129	537	1,188	3,378
September	...	{ 1874	...	...	1,689	99	677	1,284	3,749
	...	{ 1875	...	...	1,813	146	683	1,400	4,072
October	...	{ 1874	...	...	690	66	288	486	1,530
	...	{ 1875	...	...	118	10	64	44	236
November	...	{ 1874	...	...	438	40	220	286	982
	...	{ 1875	...	...	1,111	97	673	802	2,703
December	...	{ 1874	...	...	1,187	115	497	978	2,777
	...	{ 1875	...	...	1,110	90	372	892	2,454
January	...	{ 1875	...	...	1,275	127	510	1,085	2,953
	...	{ 1876	...	...	1,167	107	528	903	2,704
February	...	{ 1875	...	...	1,144	85	443	972	2,643
	...	{ 1876	...	...	1,314	123	470	1,108	3,020
March	...	{ 1875	...	...	1,658	121	683	1,360	3,822
	...	{ 1876	...	...	1,490	139	597	1,250	3,482
Total { 1875					15,327	1,322	6,249	12,210	35,117
{ 1876					15,114	1,361	5,990	12,197	34,062

Undecided, postponed after being called for hearing—

In 1874-75	...	...	...	...	1,326
In 1875-76	...	...	...	...	1,166

Postponed after being partly heard in 1875-76 ... 424
 Instituted towards the close of the year, but not return-
 able till after close of the official year ... 742

Total ... 1,166

CALCUTTA COURT OF SMALL CAUSES,

The 9th June 1876.

THOMAS JONES,

Offg. Fifth Judge and Clerk of the Court.

No. 3.

Statement showing the number of Cases pending on the 31st March 1876.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.							Instituted be- fore, but not returnable till after, the close of the year.	GRAND TOTAL.
	For service of sum- mons.	For witness.	For attach- ment.	At the re- quest of the parties to the suit.	Referred to arbitration.	By order of the Court.	Total.		
First Judge	11	3	.....	14	19	33	71	.....	.....
Second Judge	1	.....	.....	1	7	2	11	.....	.....
Third Judge	22	19	.....	24	18	46	129	.....	.....
Fourth Judge	36	14	.....	30	33	69	169	.....	.....
Fifth Judge	6	3	.....	4	.....	18	31	.....	.....
Total	76	39	.....	73	68	168	424	742	1,166

CALCUTTA COURT OF SMALL CAUSES,

The 9th June 1876.

THOMAS JONES,

Offg. Fifth Judge and Clerk of the Court.

No. 4.

Abstract Statement of Cases set down for hearing and disposed of from 1st April 1875 to 31st March 1876.

MONTHS.	Judgment for plain- tiffs.	Judgment for defend- ants.	Struck off.	Nonsuit.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.
1875.								
April	1,377	119	247	281	1,163	3,180	.....	3,066
May	1,241	107	213	273	1,001	2,835	.....	2,901
June	1,423	168	273	322	1,287	3,473	.....	3,440
July	1,366	134	279	272	1,074	3,125	.....	3,850
August	1,524	139	241	290	1,188	3,378	.....	3,540
September	1,443	146	335	348	1,400	4,079	.....	3,489
October	118	10	33	31	44	236	.....	132
November	1,141	97	312	261	892	2,703	.....	3,149
December	1,110	90	214	168	882	2,464	.....	2,013
1876.								
January	1,167	107	202	236	903	2,704	.....	3,017
February	1,314	122	241	235	1,108	3,020	.....	3,058
March	1,490	109	295	302	1,256	3,482	1,180	3,347
Total	15,114	1,361	2,976	3,015	12,197	34,682	1,168	34,602

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 5.

Comparative Statement of Commission and Fees realized and credited to Government in 1874-75 and in 1875-76.

MONTHS.	1874-75.	MONTHS.	1875-76.	Total increase of fees in 1875-76.	Total decrease of fees in 1875-76.	REMARKS.
	On account of fees received in the insti- tution and prosecution of suits and on account of dis- tresses for rent.		On account of fees received in the insti- tution and pro- secution of suits and on account of dis- tresses for rent.			
1874.	Rs. A. P.	1875.	Rs. A. P.	Rs. A. P.	Rs. A. P.	
April	16,483 15 9	April	17,027 12 9	1,143 13 0	.....
May	16,648 14 3	May	15,513 1 0	.....	3,183 12 6	
June	15,758 0 6	June	19,840 6 9	3,882 6 3	.....
July	23,417 4 3	July	17,731 7 0	.....	5,685 12 6	
August	19,678 11 6	August	18,733 9 0	.....	946 2 6	
September	21,060 13 9	September	20,130 13 9	.....	930 0 0	
October	5,603 6 9	October	1,133 7 0	.....	4,469 15 9	
November	8,098 6 0	November	18,009 12 0	9,311 5 3	.....
December	13,717 11 0	December	13,747 7 0	29 12 0	.....
1875.						
January	17,339 7 6	January	19,280 2 9	1,940 11 3	.....
February	15,983 7 6	February	17,412 9 0	1,529 2 0	.....
March	23,528 11 3	March	17,431 15 0	.....	5,396 11 6	
Total	1,99,110 14 9	Total	1,90,291 9 9	17,837 1 9	20,502 6 9	

Rs. A. P.

Deduct increase ... 17,837 1 9 }
 Net decrease ... 2,725 5 0 } or a decrease of nearly 1½ per cent over the receipts of last year.

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

Abstract Statement of Sums received and paid out to Suitors and others from 1st April 1875 to 31st March 1876.

1875.			1875.		
	Ra.	A. P.		Ra.	A. P.
To cash received on account of suitors, &c., in April,	28,569	0 11	By cash paid out to suitors, &c., in April,	30,125	13 6
Ditto ditto May,	29,314	10 1	Ditto ditto May,	29,169	3 0
Ditto ditto June,	27,974	8 0	Ditto ditto June,	24,405	9 6
Ditto ditto July,	25,981	3 0	Ditto ditto July,	24,406	9 6
Ditto ditto Aug.,	27,550	1 0	Ditto ditto Aug.,	28,565	4 6
Ditto ditto Sept.,	30,338	15 9	Ditto ditto Sept.,	29,375	13 6
Ditto ditto Oct.,	8,764	12 0	Ditto ditto Oct.,	6,154	2 9
Ditto ditto Nov.,	26,875	0 4	Ditto ditto Nov.,	27,315	5 9
Ditto ditto Dec.,	18,804	8 0	Ditto ditto Dec.,	18,240	10 9
1876.			1876.		
To cash received on account of suitors, &c., in Jan.,	30,271	15 6	By cash paid out to suitors, &c., in Jan.,	28,099	9 9
Ditto ditto Feb.,	28,117	13 9	Ditto ditto Feb.,	29,593	3 9
Ditto ditto Mar.,	26,316	5 0	Ditto ditto Mar.,	28,452	2 3
Total ...	3,06,934	3 4	Total ...	3,08,801	2 3

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

TABLE NO. 7.

Table showing the nature of Cases heard and decided from 1st April 1875 to 31st March 1876.

	MONTHS.												Total.
	April 1875.	May 1875.	June 1875.	July 1875.	August 1875.	September 1875.	October 1875.	November 1875.	December 1875.	January 1876.	February 1876.	March 1876.	
Goods sold and delivered ...	1,280	1,124	1,416	1,263	1,303	1,000	81	1,082	903	983	1,109	1,389	13,819
Bills of exchange and promissory note.	130	158	225	184	189	218	9	144	170	142	178	182	1,020
Wages ...	233	166	272	195	204	274	26	237	146	166	215	245	2,399
Work and labour and materials	226	209	204	225	240	285	15	168	160	183	208	250	2,361
For money lent ...	51	42	30	30	63	38	3	45	86	49	55	63	514
For money had and received	409	318	403	468	515	506	40	336	345	430	423	400	4,899
On an account stated	56	54	67	60	83	81	5	61	43	63	61	57	691
For use and occupation	42	45	37	28	43	64	8	47	38	48	52	41	488
For use and hire	305	291	266	260	341	329	15	237	221	246	253	299	3,065
On judgment	21	23	26	43	13	55	3	19	32	32	28	34	362
Guarantee	1	3	3	6	1	11	.....	1	4	2	5	4	41
Partnership balance	17	4	12	11	14	14	.....	6	10	12	11	10	121
Other actions in assumpsit	2	3	3	2	2	.....	1	4	2	.....	8	3	25
Trover	138	136	181	161	140	208	18	137	124	161	153	179	1,756
Case	49	54	54	46	39	65	3	20	34	46	50	57	523
Trespass	71	66	81	53	69	71	6	63	35	47	65	73	689
Board and lodging	1	1	1	1	1	1	.....	1	1	3	.....	2	13
Assault	18	14	21	24	25	29	.....	15	29	23	20	25	236
Cases under the Distresses of 1875.	20	17	19	17	29	23	2	34	13	23	22	22	241
Interpleader	1	.....	1	.....	.....	.....	.....	.....	.....	.....	.....	.....	2
Recovery of small tenements	26	33	45	29	24	39	7	28	26	24	33	32	339
Ejectment	1	1	.....	.....	.....	.....	.....	1	.....	.....	.....	1	4
Total	10	23	16	11	20	12	.....	11	8	15	16	24	168
Total	3,180	2,835	3,473	3,125	3,378	4,072	230	2,703	2,454	2,704	3,020	3,482	34,662

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 8.

Statement showing the Statistics of the Distraint Department of the Court under Act I of 1875, from 1st April 1875 to 31st March 1876.

MONTHS.	Distraint compro- mised before ap- praisement.	Sales.	Distraint set aside before ap- praisement.	Unexe- cuted.	Compro- mise after appraise- ment.	Total number of distraints for rent.	Amount of rent for which dis- traints were made.	Commission and fees deposited.
1875.							Rs. A. P.	Rs. A. P.
April	28	4	1	1	2	36	8,029 6 9	446 8 0
May	26	4	2	1	3	36	2,113 14 0	336 12 0
June	23	3	2	3	2	33	2,870 0 6	426 8 0
July	21	8	1	4	2	36	1,856 7 6	393 12 0
August	21	4	1	3	2	31	964 11 6	303 0 0
September	38	8	1	1	2	50	2,632 7 6	540 0 0
October	2	.....	.....	1	.....	3	1,938 4 0	257 8 0
November	32	2	1	4	2	41	2,824 0 0	437 0 0
December	17	2	6	4	2	30	1,639 13 9	366 4 0
1876.								
January	19	6	.....	3	.....	23	886 10 3	160 8 0
February	19	2	2	3	2	26	1,166 6 0	193 8 0
March	29	4	1	6	1	41	4,536 9 3	656 4 0
Total	275	47	17	34	20	393	27,417 11 0	4,217 8 0

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 9.

Statement showing the amount of Fines from 1st April 1875 to 31st March 1876.

Months.	Amount.	Months.	Amount.
	Rs. A. P.		Rs. A. P.
April 1875	25 8 0	November 1875	4 0 0
May "	0 4 0	December " ... ..	.....
June "	9 8 0	January 1876	20 0 0
July "	1 4 0	February "	5 8 0
August " ... ..	.....	March " ... ..	.....
September "	1 0 0		
October "	6 0 0	Total	72 0 0

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 10.

Statement showing the Salaries of the Judges, Costs of the Establishment, Contingent and other Charges, from 1st April 1875 to 31st March 1876.

MONTHS.	Salaries of Judges.	Establishment charges.	Commission allowed to bailiffs.	Contingent charges.	TOTAL.
1875.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April	6,250 0 0	7,102 0 0	328 14 0	160 14 3	13,941 13 3
May	4,580 0 0	7,102 0 0	364 12 0	99 5 0	12,116 1 0
June	5,092 8 0	6,954 14 6	341 6 0	117 0 9	12,506 13 3
July	4,943 13 4	6,951 0 0	340 10 0	102 7 3	12,339 14 7
August	4,945 13 4	7,348 2 0	271 10 0	110 15 9	12,676 9 1
September	4,945 13 4	7,102 3 3	339 8 0	100 2 6	12,487 11 1
October	4,945 13 4	7,120 9 6	.....	141 8 6	12,207 10 4
November	4,945 13 4	7,120 2 7	539 4 0	55 1 0	12,860 4 11
December	4,945 13 4	7,122 0 0	263 14 0	33 6 3	12,366 0 7
1876.					
January	4,945 13 4	7,122 0 0	.....	39 1 6	12,106 14 10
February	5,521 3 8	7,122 0 0	547 8 0	80 15 6	13,271 11 2
March	5,800 0 0	7,122 0 0	430 0 0	54 4 6	13,306 4 8
Total	61,844 9 0	85,288 15 10	3,737 6 0	1,094 12 9	1,51,965 11 7

* The salary of the late Mr. Fagan, First Judge, from April 1875 up to the time of his death still remains undrawn.

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 11.

Statement showing the net amount credited to Government from 1st April 1875 to 31st March 1876.

MONTHS.	Commission and fees paid in stamp, &c.	Fines.	Unclaimed suitors' money.	Total amount credited.
1875.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
April	17,027 12 9	25 8 0	358 14 11	18,012 3 8
May	15,513 1 9	0 4 0	216 6 8	15,729 12 0
June	18,840 6 9	9 8 0	303 7 6	19,853 6 3
July	17,731 7 0	1 4 0	300 8 3	17,933 4 0
August	18,732 9 0	.....	276 12 0	19,009 5 0
September	20,130 13 9	1 0 0	336 8 0	20,466 5 2
October	1,133 7 0	5 0 0	161 2 0	1,299 9 0
November	18,009 13 0	4 0 0	117 15 0	18,131 11 0
December	13,747 7 0	.....	153 9 0	13,901 0 0
1876.				
January	19,280 2 9	20 0 0	.....	19,300 2 9
February	17,412 9 6	5 8 0	.....	17,418 1 6
March	17,431 15 9	.....	696 1 4	18,128 1 1
Total	1,96,391 9 9	72 0 0	2,811 4 3	1,99,274 14 0
Deduct refund of fines, &c. ...				18 0 0
Net receipts ...				1,99,256 14 0

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 12.

Statement of Indigent Debtors relieved from 1st April 1875 to 31st March 1876, prepared in conformity with Mr. Eden's letter No. 873T., dated 1st October 1863.

Dates and Months.	Names of parties relieved.	Amount paid.
1875.		Rs. A. P.
1st April	A. W. Cave	6 9 6
14th ditto	Luckhee Monsee Bewah and Comul Monsee Bewah	7 4 0
24th ditto	H. A. Elloy	5 0 6
14th May	Mrs. Barnard	4 0 0
9th June	" D'Souza	5 12 0
6th August	" A. W. Channon	14 11 0
6th ditto	M. Field	20 15 0
6th ditto	Mrs. M. Field	13 12 0
23rd September	Mr. C. Briggs	50 0 0
11th December	W. Vardon and E. M. Vardon	34 0 0
17th ditto	C. Gomes	8 8 0
21st ditto	Mrs. Isabella D'Bozario	6 8 0
22nd ditto	" S. Archer	32 0 0
1876.		
16th January	" C. M. Ford	29 11 0
20th ditto	Junoo Bewah	9 5 0
24th ditto	J. Gomes	7 2 0
25th ditto	Mrs. M. Inglis	7 3 0
28th ditto	Edward Chambers	6 0 0
13th March	Mrs. Rees	13 4 0
16th ditto	C. E. Cannon	20 0 0
31st ditto	Mrs. Smith	29 0 0
Total		316 9 0

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 13.

Statement of the number of ex parte cases disposed of by the Judges of the Calcutta Court of Small Causes from 1st April 1875 to 31st March 1876.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1875.						
April	27	130	147	124	270	704
May	31	115	123	145	211	625
June	39	112	154	155	196	656
July	50	133	128	122	243	676
August	47	151	129	171	249	767
September	47	181	159	190	288	865
October	1	19	11	17	16	64
November	26	101	104	117	208	556
December	32	96	115	102	188	533
1876.						
January	52	128	112	99	170	561
February	41	135	128	142	192	638
March	53	143	106	130	258	690
Total	448	1,450	1,420	1,514	2,489	7,325

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

	1st Year, 1850-51.	2nd Year, 1851-52.	3rd Year, 1852-53.	4th Year, 1853-54.	5th Year, 1854-55.
	No.	No.	No.	No.	No.
Number of cases instituted ... { English	4,407	4,544	4,706	4,897	4,403
... { Native	16,916	23,205	22,085	20,058	20,201
Total ...	21,323	27,749	24,881	24,455	24,603
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount litigated ...	4,47,381 0 0	5,31,409 12 4	5,17,063 5 10	5,08,320 11 10	5,25,139 3 4
Commission and fees paid into Court on institution of suits ...	59,531 14 8	73,933 8 0	73,763 13 0	73,212 14 3	75,870 7 9
Net amount of commission and fees credited to Government on suits ...	57,432 13 8	74,790 4 0	77,262 4 0	75,180 7 6	73,393 9 0
Ditto on distresses for rent ...	1,010 7 0	1,778 8 0	1,909 8 0	1,829 0 0	1,430 12 0
Amount credited to Government on account of fines ...	651 6 0	585 4 3	484 13 3	736 15 9	240 12 3
Ditto on account of unclaimed moneys belonging to suitors and landlords ...	.....	.....	.....	.....	.....
Ditto on account of savings from salaries, sale of old furniture, records, &c. ...	207 0 0	712 0 3	100 9 3	.....	695 3 8
Net total amount credited to Government in the cash account ...	59,822 1 0	77,475 1 3	79,757 3 3	77,596 7 3	75,760 5 5
Amount paid into Court under decrees, &c. ...	2,46,318 0 0	2,81,804 11 0	1,14,017 2 9	1,04,620 7 11	1,12,190 14 4
Ditto out of Court on account of decrees, &c. ...	2,43,604 0 0	3,79,736 2 9	1,12,604 4 0	1,08,112 6 6	1,11,347 0 0
	No.	No.	No.	No.	No.
Number of days on which the Court was open ...	258	274	277	280	235
Average number of cases instituted daily ...	82.6	101.2	90.0	94.0	105.5
Cases under Rs. 5 ...	.....	.....	.....	.....	.....
Ditto 10 ...	12,701	18,111	17,178	15,155	15,103
Ditto 20 ...	3,363	4,350	4,496	4,231	4,382
Ditto 50 ...	2,322	3,275	3,220	3,095	3,103
Ditto 100 ...	792	948	1,028	992	1,065
Ditto 200 ...	480	586	546	558	600
Ditto 300 ...	186	224	217	222	213
Ditto 400 ...	66	116	98	108	139
Ditto 500 ...	67	100	95	104	97
Ditto 600 ...	.....	.....	.....	.....	.....
Ditto 700 ...	.....	.....	.....	.....	.....
Ditto 800 ...	.....	.....	.....	.....	.....
Ditto 900 ...	.....	.....	.....	.....	.....
Ditto 1,000 ...	.....	.....	.....	.....	.....
Cases above 1,000 ...	.....	.....	.....	.....	.....
Number of summonses issued ...	61,980	68,174	68,863	69,118	68,951
Ditto second summonses issued ...	.....	9,308	7,574	5,606	5,085
Ditto subpoenas issued ...	16,962	23,309	21,920	19,617	18,612
Ditto attachments issued ...	.....	869	1,368	833	320
Ditto writs of execution issued ...	3,518	4,964	6,929	5,243	4,939
Ditto bench warrants issued ...	.....	.....	157	122	79
Ditto copies of judgments issued ...	167	215	220	176	137
Ditto commitments issued ...	448	624	1,040	611	623
Warrants to sue and defend filed ...	2,170	3,206	2,675	3,106	3,340
Judgment for plaintiffs ...	8,330	10,648	9,612	8,968	8,890
Ditto defendants ...	688	952	1,747	1,743	1,403
Nonsuited ...	4,172	5,831	6,532	7,752	2,343
Struck out and compromised ...	6,655	10,225	9,419	11,583	11,166
Undecided and pending ...	333	530	284	406	156
	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
Amount of half costs returned in cases compromised ...	10,533 5 6	9,939 11 9	6,841 9 9	12,004 15 6	11,091 2 3

14.

Table.

6th Year, 1855-56.	7th Year, 1856-57.	8th Year, 1857-58.	9th Year, 1858-59.	10th Year, 1859-60.	11th Year, 1860-61.	12th Year, 1861-62.	13th Year, 1862-63.
No.	No.	No.	No.	No.	No.	No.	No.
5,017 21,421	6,254 22,412	5,834 25,008	5,450 24,500	6,452 25,825	6,524 25,253	6,050 26,574	6,282 27,209
27,038	28,680	30,843	29,958	32,537	31,777	33,324	35,581
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
6,03,241 11 11	7,38,111 3 6	8,01,824 6 0	7,63,412 11 1	9,35,003 0 9	9,78,939 4 10	11,19,418 6 0	10,54,223 11 7
90,844 10 3	1,01,404 2 0	1,12,778 12 9	1,09,280 7 6	1,33,317 7 6	1,39,247 12 6	1,58,436 0 3	1,49,970 0 6
90,333 9 3	1,00,801 14 0	1,12,624 6 9	1,07,018 0 0	1,28,992 13 3	1,36,073 8 9	1,57,258 5 3	1,46,725 12 6
1,543 4 0	1,000 0 0	1,157 0 0	839 0 0	1,432 12 0	1,529 8 0	11,187 4 0	1,553 8 0
253 14 0	493 5 3	343 5 0	203 8 0	101 12 0	125 0 0	330 0 0	263 1 0
.....	735 4 9	9,720 13 3	1,608 0 3	1,467 12 10	1,431 14 3	2,314 2 10	3,050 4 8
23 0 9	15 9 6	253 0 5	*88 2 9	8 15 6	6 1 8	10 4 1	0 12 3
92,158 12 9	1,03,006 1 6	1,24,101 3 2	1,10,915 11 9	1,32,144 8 7	1,39,165 11 8	1,61,100 5 2	1,54,599 7 3
1,39,078 15 7	1,72,972 6 8	1,98,524 3 1	1,84,008 0 10	2,10,926 14 10	2,20,051 5 4	2,48,763 7 1	2,37,201 6 11
1,40,190 7 3	1,70,617 14 2	1,98,033 0 10	1,84,084 3 2	2,16,302 0 2	2,18,821 13 11	2,44,901 3 3	2,38,330 8 5
No.	No.	No.	No.	No.	No.	No.	No.
254 106 4	246 116 3	250 123 3	246 121 7	246 129 6	253 125 6	250 123 3	265 126 7
.....
15,727	16,325	17,383	16,067	17,082	18,095	16,943	18,890
4,871	5,174	5,704	5,850	6,118	5,791	6,310	6,686
3,723	4,093	4,417	4,745	4,869	5,019	5,258	4,136
1,400	1,511	1,640	1,618	2,083	2,100	2,180	2,373
734	905	931	932	1,206	1,114	1,216	1,378
344	351	391	387	433	510	646	600
133	173	169	172	257	298	370	308
106	161	214	185	255	252	287	224
.....
.....
.....
.....
.....
64,381	67,687	61,403	70,013	62,877	62,351	60,943	62,042
2,056	1,397	1,724	1,358	751	834	910	1,219
20,717	22,312	22,777	22,879	24,614	24,733	29,116	30,679
474	216	418	387	578	455	229	132
6,474	7,163	8,075	7,094	8,203	80,889	8,490	8,204
39	30	19	14	25	16	13	15
173	184	217	235	248	431	413	352
572	609	629	539	663	509	510	510
4,128	4,700	5,743	4,674	5,093	5,025	6,311	6,930
11,068	2,211	13,281	12,447	13,657	13,048	14,166	14,125
1,230	1,083	1,154	1,412	1,617	1,723	1,886	1,990
8,028	3,208	3,350	2,905	2,731	3,443	2,803	3,043
11,480	11,927	12,939	13,135	14,083	13,847	14,104	14,305
102	100	164	91	106	179	157	107
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
11,846 0 0	12,908 6 6	14,779 13 3	14,722 0 0	17,889 5 3	18,913 3 0	22,565 14 6	22,076 4 6

14.

Table.—(Concluded.)

19th Year, 1868-69.	20th Year, 1869-70.	21st Year, 1870-71.	22nd Year, 1871-72.	23rd Year, 1872-73.	24th Year, 1873-74.	25th Year, 1874-75.	26th Year, 1875-76.
No.	No.	No.	No.	No.	No.	No.	No.
5,912	6,006	6,447	6,384	6,566	5,940	5,802	5,883
25,767	27,645	25,802	25,152	28,277	28,643	29,001	28,619
31,679	34,340	32,339	31,536	34,843	34,583	34,983	34,502
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
16,08,000 4 0	16,49,525 15 5	16,07,311 8 7	15,28,938 10 2	16,23,110 7 11	16,11,535 5 1	15,70,142 10 7	15,82,973 2 10
2,21,602 2 3	2,45,030 14 6	2,36,636 4 0	2,23,860 0 0	2,47,306 7 0	2,35,966 9 6	2,33,758 13 0	2,36,071 13 0
2,21,311 4 3 1,265 4 0	2,26,040 7 3	2,07,708 8 0	1,97,400 5 6	2,15,218 4 0	2,02,845 7 0	1,90,118 14 9	1,96,391 9 9
262 0 0	160 10 0	111 0 0	85 4 0	114 12 0	54 8 0	199 12 0	73 0 0
4,356 4 5	5,797 8 9	5,477 4 9	5,543 15 0	7,051 4 8	4,850 8 0	4,939 7 8	2,911 4 3
19 12 0	13 8 0	5 6 0	.....	144 9 0	4 1 0	318 11 6	.....
2,27,214 8 8	2,32,021 2 0	2,13,361 13 0	2,08,088 9 2	2,22,524 13 0	2,07,774 2 0	2,04,574 18 6	1,99,256 14 0
5,08,719 9 4	5,00,384 11 4	5,60,869 11 9	5,76,171 1 6	4,63,612 6 4	5,41,187 2 3	5,39,380 0 2	5,06,634 3 4
3,11,799 8 4	3,96,035 3 6	3,68,966 1 6	3,00,432 15 0	3,06,890 5 7	3,32,970 11 10	3,50,504 9 6	3,08,801 2 3
No.	No.	No.	No.	No.	No.	No.	No.
253	254	248	245	284	266	260	266
125 22	136 19	130 3	128 7	131 0	120 3	134 5	129 7
.....	.....	.....	6,805	7,850	7,717	8,237	8,008
12,009	14,486	13,280	6,652	7,182	6,906	6,046	6,098
6,660	7,044	6,741	6,518	7,174	7,463	7,910	7,217
6,094	6,019	6,239	6,034	6,599	6,469	6,514	6,403
2,563	2,762	2,629	2,413	2,719	2,793	2,603	2,577
1,723	1,617	1,660	1,490	608	1,652	1,640	1,584
655	667	602	556	647	612	613	596
355	334	362	335	307	335	331	309
289	250	232	202	221	190	214	132
108	190	153	173	170	173	161	166
151	127	124	110	136	98	110	103
103	110	95	87	87	88	73	80
60	65	80	60	73	61	78	80
125	120	127	97	109	63	97	63
.....	.....	.....	.....	.....	.....	.....	41
40,651	43,583	40,893	39,729	44,136	43,463	40,650	43,091
1,346	1,296	1,517	1,608	1,510	1,184	1,417	1,601
30,354	30,220	31,435	31,681	32,913	32,791	29,029	29,386
12	16	13	39	47	44	50	23
7,201	8,054	8,392	8,500	9,250	8,657	8,269	9,475
8	4	7	2	56	84	109	62
420	511	570	464	419	446	402	408
321	367	363	353	428	436	509	420
4,830	5,677	6,343	5,986	6,407	6,463	5,668	5,899
13,376	15,897	14,196	14,000	15,182	14,701	15,327	15,114
1,662	1,444	1,354	1,397	1,450	1,383	1,522	1,301
3,766	3,385	3,178	3,221	3,548	3,669	3,195	3,015
12,944	18,530	13,100	12,709	14,333	14,616	15,273	15,172
1,070	1,154	1,580	876	1,200	1,460	1,326	1,166
Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.	Rs. A. P.
31,683 11 9	28,868 0 3	31,122 4 6	29,910 0 0	34,523 1 3	34,340 10 9	37,061 8 0	39,690 8 8

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 15.

Statement showing the number of Mofussil Commissions issued to the Calcutta Court of Small Causes, under Section 177 of Act VIII of 1859, for the year 1875-76.

MONTHS.	Number of commissions received.	Number of commissions executed.	Number of witnesses examined.	By what Judge disposed of.
1875.				
April	19	9	15	Fifth Judge.
May	23	14	27	Ditto.
June	12	7	15	Ditto.
July	24	14	26	Ditto, and one by D. N. Chatterjee.
August	16	9	19	Ditto.
September	23	13	25	Ditto.
October	6	4	9	Ditto.
November	13	9	15	Ditto.
December	14	11	18	Ditto, and two by Pleaders of the Court.
1876.				
January	20	13	25	Fifth Judge.
February	20	14	31	Ditto.
March	35	18	40	Ditto, and two by Pleaders of the Court.
Total	236	133	265	

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 16.

Statement showing the number of After-Judgment Processes, including Attachments, issued during the year from 1st April 1875 to 31st March 1876.

1	2	3	4	5	6	7	8
	Number of processes applied for.	Number in which money was deposited after processes applied for, but before execution.	Number executed.	Number unexecuted and returned with the remark "Nulla bona" and "Non est inventus."	Number of writs applied for, but not carried into execution by the parties themselves.	Number pending on 31st March 1876.	Total number of columns 3 to 7.
Seal warrants	3,334	100	2,641	338	238	62	3,379
Body warrants	6,169	210	2,834	2,331	687	162	6,124
Total	9,503	310	5,475	2,669	925	224	9,503
Copies of judgments and certificates for execution out of the jurisdiction of the Court					...	...	...

	Seal Warrants.	Body Warrants.
By 3 European bailiffs	699	733
" 4 Native seal ditto	1,949	...
" 40 Body warrant ditto ... ..	...	2,106
	<u>2,641</u>	<u>2,834</u>

CALCUTTA COURT OF SMALL CAUSES,
The 9th June 1876.

THOMAS JONES,
Offg. Fifth Judge and Clerk of the Court.

No. 17.

Statement showing the number of Cases decided wholly and partially in favour of Plaintiffs by each Judge from 1st April 1875 to 31st March 1876.

		First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1875.							
April	{ Wholly	64	255	267	209	267	1,182
	{ Partially	16	61	50	58	33	215
May	{ Wholly	52	213	234	227	296	1,021
	{ Partially	9	60	61	64	27	220
June	{ Wholly	68	249	260	238	300	1,113
	{ Partially	33	90	60	103	34	310
July	{ Wholly	86	258	247	203	330	1,124
	{ Partially	18	68	51	71	34	242
August	{ Wholly	91	282	255	268	349	1,245
	{ Partially	12	82	60	93	35	282
September	{ Wholly	107	351	317	295	425	1,495
	{ Partially	19	115	73	95	46	348
October	{ Wholly	4	28	17	17	18	84
	{ Partially	1	11	4	18	...	34
November	{ Wholly	54	185	221	163	295	918
	{ Partially	10	62	54	63	34	223
December	{ Wholly	73	204	193	177	284	911
	{ Partially	14	61	44	61	19	199
1876.							
January	{ Wholly	84	220	210	209	226	949
	{ Partially	18	69	40	57	34	218
February	{ Wholly	57	273	229	245	265	1,069
	{ Partially	17	69	68	71	30	245
March	{ Wholly	89	283	212	212	380	1,296
	{ Partially	16	109	63	64	32	284
Total	{ Wholly	820	2,799	2,663	2,493	3,511	12,294
	{ Partially	183	537	607	815	359	2,820

CALCUTTA COURT OF SMALL CAUSES,

The 9th June 1876.

THOMAS JONES,

Offg. Fifth Judge and Clerk of the Court.

No. 18.

Statement showing the number of Cases instituted before each Judge from 1st April 1875 to 31st March 1876.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1875.						
April	169	655	639	681	923	3,067
May	159	654	636	649	804	2,901
June	202	761	769	752	956	3,440
July	166	757	734	730	963	3,350
August	190	784	780	787	989	3,540
September	203	700	749	743	1,035	3,489
October	11	45	29	29	19	132
November	168	609	661	665	958	3,149
December	150	441	430	427	565	2,013
1876.						
January	215	656	636	678	849	3,017
February	176	683	690	669	850	3,058
March	169	698	714	710	1,060	3,347
Total	1,975	7,503	7,467	7,544	9,669	34,602

CALCUTTA COURT OF SMALL CAUSES,

The 9th June 1876.

THOMAS JONES,

Offg. Fifth Judge and Clerk of the Court.

Cases referred for the opinion of the High Court.

CAUSE TITLE.	By the Court of its own motion.	By the Court at the request of the parties.	REMARKS.
Clare vs. Warner...	.....	1	Judgment confirmed.
P. DeLespardo & Co. vs. Prosonno Coomar Banerjee	.....	1	Nonsuit being elected, the point referred to was not decided.
Toulmin & Co. vs. Gladstone, Wyllie & Co.	.....	1	Judgment confirmed.
Ella Harris vs. Percy H. Harris	1	.....	Ditto ditto.
Ella Harris vs. Koylas Chunder Bundopadhea	1	.....	Ditto ditto.
Total	2	3	

The above cases were all referred by Mr. Sounce as Officiating First Judge.

CALCUTTA COURT OF SMALL CAUSES,

The 9th June 1876.

THOMAS JONES,

Offg. Fifth Judge and Clerk of the Court.

JUDICIAL.

CALCUTTA, THE 17TH JULY 1876.

RESOLUTION. .

READ—

Report of the Calcutta Court of Small Causes for 1875-76.

Read again—

Report of the Calcutta Court of Small Causes for 1874-75, and the Government Resolution thereon.

WITH regard to the remarks recorded in the Resolution of last year, in reference to the brevity of the report submitted by the Judges of the Calcutta Court of Small Causes, the Lieutenant-Governor is disappointed in having again to notice that the Judges have offered but few observations on the results shown in the figured statements which exhibit the work performed by the Court during the past year. These statements present some points of general and public importance which the Judges alone can properly elucidate; yet no critical examination of the figures has been attempted. The Lieutenant-Governor trusts that in their next report the Judges will review and explain such fluctuations in the various details as the litigation of the current year may exhibit. Meanwhile, he requests that a special report may be made on the several points which have been noted below.

2. The Judges have again, during the past year, submitted their views on the subject of the amendment and revision of the Act which at present governs the operations of the Court. That Act, which was subsequently enlarged by Act XXVI of 1864, has now been in force for 26 years, and the Government has from time to time had the advantage of receiving various suggestions for its improvement from those who have been especially interested in watching its operation. The Lieutenant-Governor will not now enter upon a discussion of the various proposals which have been made. The question of codifying and amending the existing law has been again referred to the Government of India, and will shortly engage the attention of the Imperial Legislature.

3. It was observed in the Resolution on the results shewn in the report for 1874-75 that the number of cases instituted in that year had exceeded those of the previous year, while the amount in litigation had decreased. The reverse of this has happened in 1875-76, the number of cases having fallen off, concurrently with an increase in the amount at issue. The following statement shows the number of cases instituted, together with the value of the property in litigation, during each of the last five years:—

				Cases instituted.	Amount in dispute.
					Rs.
1871-72	...	...	...	31,536	15,28,938
1872-73	...	...	...	34,843	16,23,110
1873-74	...	...	...	34,583	16,11,535
1874-75	...	...	...	34,983	15,70,142
1875-76	...	...	...	34,502	15,82,873

No explanation has been offered by the Judges of the decrease in litigation, the number of suits instituted being less than during any of the three previous years. Although the Court was open for 266 days during the year, as against 260 days in the previous year, it may be presumed that the falling off is attributable in some measure to the interruption of business which was caused by the closing of the courts during the last days of the year in honor of the visit of His Royal Highness the Prince of Wales. The number of cases instituted by Europeans exhibits a falling off of nine only. The decrease in

those brought by natives, viz. 472, is, however, very marked, as being out of all proportion to the above, and is a point on which the Lieutenant-Governor would have wished for some explanation.

4. The following table exhibits the number of suits instituted in each of the last three years, classed according to the value of the claims made:—

VALUE OF SUITS.				1873-74.	1874-75.	1875-76.
				Rs.	Rs.	Rs.
Under Rs. 50	...	...	...	28,584	29,063	28,711
Ditto „ 100	...	...	...	2,703	2,693	2,577
Ditto „ 500	...	...	...	2,789	2,713	2,671
Ditto „ 1,000	...	...	...	480	473	502
Above „ 1,000	...	...	...	27	36	41

The increase in the number of suits instituted for sums above Rs. 500, which has resulted in shewing an increase of Rs. 12,731 in the total value of suits, notwithstanding the falling off in the total institutions, is satisfactory as indicating greater confidence on the part of the public in the judgments of the Court. Four cases were referred by Mr. Seonce, as Officiating First Judge, for the opinion of the High Court under section 7 of Act XXVI of 1864. In all the decision of the Court was upheld.

5. Of the 1,326 cases pending from the previous year, and of those instituted during the year, 34,662 were disposed of as against 35,117 in 1874-75. In 15,114 of these, judgment was given for the plaintiffs, and in 1,361 for the defendants; 5,990 were non-suited or struck off, and 12,197 were compromised. Notwithstanding the decrease in the total number of cases disposed of, the number in which judgment was given for the defendants shows a small increase. These figures vary but little from those of the preceding year; but the large increase of 245 cases which were referred to arbitration is very noticeable and should have been explained. The number of cases pending at the close of the year (1,166) was below the average. Of these cases, 742 had been instituted towards the close of the year, but were not returnable within that period, and 424 had been postponed after hearing in part. The files of the First, Third, and Fourth Judges show an undue proportion of these last-mentioned cases. The following table exhibits the number of cases instituted before each Judge, with the number of cases standing adjourned at the close of the year:—

				Number of cases instituted.	Number of cases stand- ing adjourned.
First Judge	...	...	...	1,975	71
Second „	...	...	...	7,563	2
Third „	...	...	...	7,457	129
Fourth „	...	...	...	7,544	182
Fifth „	...	...	...	9,963	31

6. The total number of after-judgment processes applied for was 9,503. Of these, 6,169 were warrants against the person. Only 2,834 of these warrants were executed. Three thousand three hundred and thirty-four processes for execution against the property of debtors were applied for, and of these 2,641 were executed. The executions under the latter head show an increase, and those under the former head a decrease, as compared with the figures for 1874-75. The number of bench warrants issued for the arrest of defendants before judgment has fallen from 109 to 62. With regard to the remarks recorded on this subject last year, the Lieutenant-Governor is glad to learn that great caution is now exercised by the Judges in the issue of such processes.

7. The Judges notice the falling off of 498 cases in the number of suits for goods sold and delivered, but declare that they are unable to account for it. The Lieutenant-Governor would have been glad, however, had enquiries been made by the Judges as regards this and other fluctuations which are observable, with a view to some explanations being afforded on the subject. It is further

shown by the comparative statement that there has been a considerable increase in suits for money lent and for use and occupation, and a falling off in suits for trespass, for ejection, and for money had and received. Suits also for the recovery of small tenements have fallen from 86 to 4. It is not stated, however, if this marked decrease is in any way owing to a doubt on the part of the Judges as to their jurisdiction to try cases of this nature, or to what cause it is attributable.

8. The Distress Act of 1875 has been in operation throughout the year, and the increased number of processes of distraint which have been issued under it shows that it has fairly met the requirements of suitors. The total amount of rent involved exhibits an increase from Rs. 22,266 to Rs. 27,417.

9. The Judges have experienced some difficulty in selecting persons qualified by character and attainments to act as law agents under the recognition of the Court. The Lieutenant-Governor entirely concurs with the Judges in thinking that it would be unadvisable to relax the rule recently adopted in favor of persons who have hitherto acted as suit brokers about the precincts of the Court. It is of the highest importance that the practice of touting should be discouraged as far as possible; and His Honor believes that much benefit to the public will ultimately result from a rigid adherence to the rule that has been laid down, that no law agent should be recognized by the Court who is not authorized to act in the High Court and in the courts subordinate to it.

10. The receipts of the year from different sources amounted to Rs. 1,99,256 as against Rs. 2,04,575. On the other hand, the item of house rent has entirely disappeared from the list of disbursements, and this circumstance, in conjunction with a large saving in the salaries of the Judges and in the contingent charges, has resulted in a decrease of nearly Rs. 20,000 in the expenditure. The net sum to be credited to the General Revenues amounted to Rs. 47,291 as against Rs. 33,321 in the previous year.

11. The Lieutenant-Governor fully concurs with the remarks recorded by the Judges as regards the lamented death of the late First Judge, Mr. G. S. Fagan. The Court has lost in Mr. Fagan the services of an eminent and careful Judge, who presided over it with great ability for many years.

ORDER.—Ordered that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes.

By order of the Lieutenant-Governor of Bengal,

R. L. MANGLES,

Offg. Secy. to the Govt. of Bengal.

No. 2230.

COPY forwarded to the Judges of the Calcutta Court of Small Causes for information and guidance.

No. 2231.

COPY of this Resolution, and of the Report, forwarded to the Government of India in the Home Department for information.

By order of the Lieutenant-Governor of Bengal,

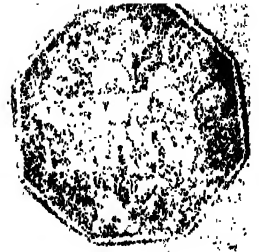
COLMAN MACAULAY,

Offg. Under-Secy. to the Govt. of Bengal.

CALCUTTA,
The 17th July 1876.

REPORT

OF THE



CALCUTTA COURT OF SMALL CAUSES,

FOR THE YEAR 1870-71.

Calcutta:

PRINTED AT THE BENGAL SECRETARIAT OFFICE.

1871.

No. 7.

FROM

THE JUDGES, CALCUTTA COURT OF SMALL CAUSES,

To

THE OFFG. SECRETARY TO THE GOVERNMENT OF BENGAL,

JUDICIAL DEPARTMENT.

Fort William, the 29th June, 1871.

SIR,

WE have the honor to forward, for the information of His Honor the Lieutenant-Governor of Bengal, the 21st annual report of the business of this court for the year 1870-71, ending 31st March last.

2. The number of cases instituted in the court during the year was 32,339, being a decrease of 2,001* cases as compared with the number instituted during the year ending 31st March, 1870. The average number of cases for each day was 130.3.†

3. The following comparative table shows the increase and decrease of institutions during the year:—

Class of cases.						In 1869-70.	In 1870-71.	Increase.	Decrease.
Under Rs.	10	..	...	...	...	14,436	13,286	.....	1,150
Ditto	"	20	...	...	...	7,044	6,741	.....	303
Ditto	"	50	...	...	...	6,619	6,239	.....	380
Ditto	"	100	...	...	...	2,762	2,659	.....	103
Ditto	"	200	...	...	...	1,617	1,500	.....	67
Ditto	"	300	...	...	...	657	602	5	.....
Ditto	"	400	...	...	...	334	362	28	.....
Ditto	"	500	...	...	...	250	232	.....	18
Ditto	"	600	...	...	...	190	153	.....	37
Ditto	"	700	...	...	...	127	124	.....	3
Ditto	"	800	...	...	...	110	95	.....	15
Ditto	"	900	...	...	...	65	89	24	.....
Ditto	"	1,000	...	...	...	89	94	5	.....
Above	"	1,000	...	...	...	40	43	3	.....
Total						34,340	32,339	05	2,001
Deduct increase						...	...	...	65
Net decrease						...	...	...	2,001

4. It will be seen from this table that the chief decrease in institutions has been in respect of suits of the lowest amount. In respect of suits over Rs. 800 there has been a

* Instituted in 1869-70 ... 34,340.

† Daily average in 1869-70 ... 135.19.

slight increase. We are unable to say to what causes the decrease in the institution of cases is to be attributed. We are informed that there has been a similar falling off in the business of the High Court. The decrease in the institution of cases has been steady throughout the entire year, the only months which show an increase being May and November. The greatest decline was in the month of September, in which 1,534* fewer cases were instituted than in the corresponding month of the previous year.

5. The amount in litigation was Rs. 16,07,311-8-7.† Rs. 3,66,869-11-9 were paid into, and Rs. 3,68,956-1-6 paid out of court, in satisfaction of judgments and orders.

	Rs.	As.	P.
6. The receipts on account of commission and fees have been ..	2,13,301	13	9‡
from which has to be deducted—	Rs.	As.	P.
Salary of judges	73,445	2	4
Cost of establishment	81,213	7	10
House rent	14,170	15	6
Contingent expenses	2,932	7	6
Bailiffs' commission	4,198	2	0
		1,75,960	3 2§
Balance to the credit of the court		37,341	10 7

7. With respect to the apparent decrease of Rs. 18,719-4-3 in the receipts of the court for the year 1870-71, as compared with the receipts for the year 1869-70 as shown in tabular statement No. 5, it will be observed that the decrease for the month of April alone amounts to Rs. 11,330-6-9. With reference to this remarkable decrease in the receipts for a single month, it is to be explained that before the introduction of the system of payment by stamps on the 1st April, 1869, all commission and fees received on account of suits, &c., were kept in deposit during the pendency of such suits, and were not transferred to the credit of Government until their termination. In this way the sum of Rs. 7,533-0-9, received on account of commission and fees in suits commenced prior to but determined in April 1869, were transferred to the credit of Government in that month, making the total apparent receipts for that month Rs. 27,460-7-0, instead of Rs. 19,927-6-3, the sum actually received in respect of the sale of stamps. The real decrease therefore in the receipts of the court in April 1870, as compared with the corresponding month of the previous year, is only Rs. 3,797-6-0, and not Rs. 11,330-6-9.

* See statement No. 4.

	Rs.	As.	P.
† The amount in litigation in 1869-70	16,49,525	15	5
Ditto ditto in 1870-71	16,07,311	8	7
Decrease	42,214	6	10
‡ Receipts for 1869-70	2,32,021	2	0
Ditto for 1870-71	2,13,301	13	9
Decrease	18,719	4	3
In 1869-70.			
§ Salary of judges	72,336	4	1
Cost of establishment	76,527	0	0
House rent	13,200	0	0
Contingent expenses	3,121	5	9
Bailiffs' commission	3,923	8	0
Total	1,69,108	1	10
In 1870-71	1,75,060	3	2
Increase	6,952	1	4

8. The following statement exhibits the result of the cases set down for hearing during the year:—

Number of cases pending from 1869-70	1,154
Number of cases instituted in 1870-71	32,339
Total ..	33,493
Decided in favor of plaintiff after trial	7,499
Ditto ditto <i>ex parte</i>	6,697
Dismissed after trial	1,354
Non-suited ditto	3,178
Compromised	10,112
Struck off in default of plaintiff	3,084
Pending at the close of the year	1,569*
Total ..	33,493

* Partly heard and adjourned	896
Instituted in 1870-71, returnable in 1871-72	678
Total ..	1,569

9. The business of the court continues to be carried on in the premises in Mangoo-lane. The inconvenience of these premises for the purpose of a court has repeatedly been brought to the notice of Government.

We have the honor to be,

Sir,

Your most obedient servants,

N. H. THOMSON,
A. MOODIE,
KOONJOO LALL BANERJEE,
R. S. T. MAC EWEN,

Judges, Calcutta Court of Small Causes.

No. 1.—PART I.

Abstract statement of the statistics of the Calcutta Court of Small Causes for the twenty-first year of its institution, namely, from 1st April 1870 to 31st March 1871.

MONTH.	NUMBER OF SUITS INSTITUTED.		The English cases bear the ratio of	Number of summonses issued.	Number of second summonses issued.	Number of subpoenas issued.	Number of attachments issued.	Number of writs of execution issued.	Number of bench warrants issued.	Number of copies of judgments issued.	Number of commitments issued.	Number of releases issued.	Number of cases referred to arbitration.	Number of warrants to sue and defend filed.	Number of cases in which parties appeared by attorneys.	Number of cases in which parties appeared by pleaders practicing in this court.	In person.	Number of days in which the court was open.	Average number of suits instituted daily.	Amount litigated in the suits instituted.
	English.	Native.																		
1870.																				
April	487	1,927	4.01	3,103	97	2,229	1	632	4	54	27	23	67	470	80	466	2,087	26	1272	1,24,391 1 11
May	609	2,469	3.73	3,963	139	3,301	1	792	...	68	43	32	78	654	30	624	2,377	25	1267	1,54,339 6 3
June	533	2,331	4.36	3,533	130	2,677	2	703	...	63	40	42	27	531	63	519	2,419	23	124	1,36,309 9 11
July	596	2,636	4.42	4,083	146	3,631	2	739	...	36	31	33	66	778	24	754	2,367	24	1346	1,55,866 11 10
August	605	2,947	4.24	4,576	187	3,400	2	916	...	83	29	30	61	767	51	716	2,761	25	1456	1,35,464 13 3
September	609	2,443	3.87	3,877	174	3,374	2	1,165	...	45	42	39	63	656	28	627	3,002	23	1350	1,55,942 13 9
October	...	...	...	...	...	...	...	...	...	...	14	25	...	...	...	...	...	...	...	...
November	623	2,421	3.88	3,856	119	2,788	...	691	1	53	22	19	46	493	37	464	1,575	23	1323	1,36,597 7 6
December	346	1,606	4.35	2,364	111	1,979	1	576	1	32	34	25	53	336	15	321	1,699	17	109	96,070 3 5
1871.																				
January	630	2,641	4.25	4,155	146	3,239	...	731	1	64	23	31	75	468	63	385	2,406	22	1463	1,80,079 8 8
February	677	2,347	3.46	3,863	159	3,037	1	845	...	46	30	29	86	618	82	546	2,522	23	1314	1,60,408 14 2
March	573	2,134	3.81	3,422	146	2,471	1	663	...	46	28	27	85	499	29	470	2,125	23	1198	1,41,250 13 9
Total	6,447	25,693	4.01	40,883	1,517	31,435	13	8,392	7	570	803	335	737	6,343	401	5,942	25,351	246	1303	16,07,311 6 7

Days.

The court was closed on account of Sundays, Christian holidays, Good Friday, and Her Majesty's birthday
Vacation in December
Hindoo holidays

CALCUTTA COURT OF SMALL CAUSES,

The 29th June, 1871.

G. C. SCONCE,

Offg. 5th Judge, and Clerk of the Court.

Total ... 365

No. 1.—PART II.

Abstract statement of the statistics of the Calcutta Court of Small Causes for the twenty-first year of its institution, from 1st April 1870 to 31st March 1871.

MONTHS.	19. GRADUATED DIGEST OF CASES INSTITUTED.												20. DISPOSAL OF SUITS SET DOWN FOR HEARING.						Commission and fees paid in stamp on suits instituted.	Ra. As. P.	Ra. As. P.	Amount of half costs refunded to suitors in cases compromised by order of the judges.			
	Under Rs. 10.	Under Rs. 20.	Under Rs. 30.	Under Rs. 40.	Under Rs. 50.	Under Rs. 600.	Under Rs. 700.	Under Rs. 800.	Under Rs. 900.	Under Rs. 1,000.	Above Rs. 1,000.	Total.	Judgment for plaintiffs.	Judgment for defendants.	Struck off.	Non-suited.	Compromised.	Pending.					Total.		
April 1870	973	508	409	208	114	63	33	33	15	11	6	9	3	11	1	2,444	1,194	105	194	230	797	2,513	18,406 1 6	2,306 1 3	2,306 1 3
May	1,294	653	622	275	140	54	28	28	17	5	10	7	9	8	6	3,153	1,354	134	283	305	954	3,081	22,337 13 0	2,887 7 9	2,887 7 9
June	1,161	596	574	250	131	47	23	23	10	11	13	5	6	12	7	2,833	1,339	142	241	303	975	3,000	20,416 16 6	2,564 8 6	2,564 8 6
July	1,374	689	644	267	128	47	24	24	22	12	12	16	5	9	3	3,233	1,408	146	263	297	1,041	3,145	22,739 9 6	2,536 14 9	2,536 14 9
August	1,540	731	625	309	204	87	46	46	20	19	16	13	10	12	2	3,642	1,607	165	275	373	1,118	3,528	24,867 1 6	3,181 3 6	3,181 3 6
September	1,260	663	595	237	143	61	32	32	28	14	10	8	9	11	3	3,073	1,628	168	310	407	1,174	3,587	23,993 1 6	3,225 5 3	3,225 5 3
October	1,253	667	623	216	127	49	26	26	19	21	10	6	7	7	3	3,044	1,045	98	283	239	672	2,368	21,544 7 0	2,003 9 6	2,003 9 6
November	672	337	367	181	97	70	62	62	35	21	12	8	6	4	...	1,832	551	50	234	173	638	2,026	14,560 15 0	2,194 1 6	2,194 1 6
December	1,369	683	662	251	165	50	32	32	24	12	9	10	11	6	7	3,261	1,235	123	372	275	854	3,863	23,933 0 0	3,333 12 3	3,333 12 3
January 1871	1,213	623	543	276	177	76	35	35	19	16	10	6	17	8	6	3,024	1,449	121	331	333	1,001	3,140	23,911 2 0	3,190 12 9	3,190 12 9
February	1,149	549	545	211	134	69	25	25	17	13	10	8	6	6	5	2,756	1,145	109	300	225	836	2,624	20,330 6 6	2,768 7 9	2,768 7 9
March	1,236	674	629	2,539	1,500	662	362	362	223	125	124	93	89	94	43	32,339	14,196	1,364	3,064	3,178	10,112	31,924	2,56,636 4 0	31,122 4 6	31,122 4 6
Total	13,236	6,741	6,239	2,539	1,500	662	362	362	223	125	124	93	89	94	43	32,339	14,196	1,364	3,064	3,178	10,112	31,924	2,56,636 4 0	31,122 4 6	31,122 4 6

G. C. SCORCE,
Offg. 5th Judge, and Clerk of the Court.

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

Comparative table of causes set down for hearing, from the 1st of April 1869 to 31st March 1870, and from 1st April 1870 to 31st March 1871, showing how they are disposed of.

MONTH AND YEAR.		Judgment for plaintiffs.	Judgment for defendants.	Nonreited and struck out.	Compromised.	Total.
April	1869	1,240	210	543	899	2,890
	1870	1,784	108	414	797	2,513
May	1869	1,325	117	407	956	2,865
	1870	1,354	134	387	956	2,931
June	1869	1,450	137	478	873	2,938
	1870	1,380	142	544	975	3,000
July	1869	1,473	115	464	910	2,962
	1870	1,408	146	550	1,041	3,145
August	1869	1,783	104	724	1,240	3,851
	1870	1,607	155	648	1,118	3,528
September	1869	2,090	185	797	1,376	4,448
	1870	1,628	168	717	1,174	3,687
October	1869	546	40	219	359	1,173
	1870	.....	.....	.....	.....	.....
November	1869	618	44	289	337	1,288
	1870	1,050	94	542	672	2,368
December	1869	1,117	103	503	720	2,443
	1870	981	50	407	688	2,026
January	1870	1,395	143	603	920	3,157
	1871	1,235	123	650	854	2,862
February	1870	1,354	119	513	937	2,923
	1871	1,340	131	609	1,001	3,140
March	1870	1,409	145	631	1,004	3,339
	1871	1,145	100	634	830	2,624
Total ... { 1869-70		15,807	1,444	6,320	10,595	34,256
{ 1870-71 ...		14,196	1,354	6,262	10,112	31,924

Undecided—postponed after being called for hearing:—

In 1869-70 .. 1,154 | In 1870-71 .. 1,569

Postponed after being partly heard .. 896
Instituted towards the close of the year, the returnable date being in April 1871 .. 673

1,569

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 3.

Statement showing the number of cases pending on the 31st March, 1871.

	NUMBER OF CASES PARTLY HEARD AND POSTPONED.						Instituted but not returnable till after the close of the year.	Grand total.
	For service of summons.	For witnesses.	At the request of the parties to the suit.	Referred to arbitration.	By order of the court.	Total.		
1st Judge	7	6	12	14	19	58	.....	.....
2nd Judge	25	25	45	31	292	418	.....	.....
3rd Judge	4	2	4	21	40	71	.....	.....
4th Judge	26	9	23	29	100	186	.....	.....
5th Judge	35	3	17	18	91	163	673	.....
Total	97	44	100	118	542	896	673	1,569

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 4.

Abstract statement of cases set down for hearing and disposed of, from 1st April 1870 to 31st March 1871.

MONTHS.	Judgment for plaintiffs.	Judgment for defendants.	Struck out.	Non- sulted.	Compromised.	Total number of cases disposed of.	Undecided.	Total number of cases instituted.	
								In 1870-71.	In 1869-70.
1870.									
April	1,194	108	194	220	797	2,513	.....	2,444	2,766
May	1,354	134	283	308	930	3,061	.....	3,153	2,963
June	1,830	143	241	373	973	3,000	.....	2,853	2,680
July	1,408	144	253	297	1,041	3,143	.....	3,232	3,290
August	1,607	155	275	373	1,119	3,523	.....	3,643	2,965
September	1,028	168	310	407	1,174	3,687	.....	3,073	4,007
October ... ..	.....	.....	.....	.....	.....	.....	.....	.....	403
November	1,056	98	233	259	672	2,366	.....	3,014	1,860
December	881	50	234	173	683	2,020	.....	1,852	2,107
1871.									
January	1,235	123	373	273	854	2,863	.....	3,261	3,366
February	1,846	121	331	333	1,001	3,140	.....	3,024	3,053
March	1,143	109	300	225	836	2,624	1,569	2,766	3,232
Total	14,196	1,354	3,084	3,178	10,112	31,924	1,569	32,330	34,840

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 5.

Comparative statement of commission and fees realized and credited to Government in 1869-70 and in 1870-71.

MONTHS.	1869-70.	MONTHS.	1870-71.	Total increase of fees in 1870-71.	Total decrease of fees in 1870-71.	REMARKS.
	On account of fees received in the institution and prosecution of suits, and on account of distresses for rent.		On account of fees received in the institution and prosecution of suits, and on account of distresses for rent.			
1869.	Rs. As. P.	1870.	Rs. As. P.	Rs. As. P.	Rs. As. P.	
In April	27,480 7 0	In April	16,130 9 3	.....	11,350 6 9	
„ May	20,009 3 3	„ May... ..	19,350 5 3	.....	638 14 0	
„ June	18,933 15 6	„ June	17,854 2 0	.....	1,129 13 6	
„ July	21,306 1 6	„ July	19,006 10 9	.....	1,800 6 9	
„ August	23,331 11 0	„ August... ..	21,405 14 0	.....	1,925 13 0	
„ September	26,348 6 0	„ September	20,007 12 3	.....	6,280 9 9	
„ October	2,563 0 9	„ October ... ..	.....	.....	2,563 0 9	
„ November	12,136 10 9	„ November... ..	19,540 13 6	7,404 2 9	.....
„ December... ..	14,714 11 6	„ December	12,306 13 6	.....	2,347 14 0	
1870.		1871.				
„ January	20,368 15 6	„ January	20,590 4 0	230 4 6	.....
„ February	16,939 3 6	„ February	20,720 5 3	3,781 1 9	.....
„ March	21,378 1 0	„ March	19,766 2 3	.....	1,611 14 9	
Total ...	2,26,040 7 3	Total ...	2,07,708 3 0	11,415 9 0	29,747 13 3	
		Deduct increase ...	.....	.....	11,415 9 0	
		Net decrease ... ..	.....	.....	18,332 4 3	Or a decrease of more than 4 per cent. over the receipts of last year.

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

Abstract statement of sums received from, and paid out to suitors and others, from 1st April 1870 to 31st March 1871.

1870.			Rs. As. P.	1870.			Rs. As. P.
To cash received on account of suitors, &c., in April ...			34,587 7 6	By cash paid out to suitors, &c., in April ...			33,396 6 0
Ditto ditto May ...			35,092 9 5	Ditto ditto May ...			33,271 6 1
Ditto ditto June ...			32,033 1 0	Ditto ditto June ...			31,300 1 3
Ditto ditto July ...			37,504 12 6	Ditto ditto July ...			35,942 11 6
Ditto ditto Aug. ...			33,015 13 9	Ditto ditto August ...			34,761 8 9
Ditto ditto Sep. ...			45,825 14 6	Ditto ditto September ...			45,513 2 0
Ditto ditto Oct. ...			.....	Ditto ditto October ...			.....
Ditto ditto Nov. ...			34,300 0 10	Ditto ditto November ...			34,064 1 3
Ditto ditto Dec. ...			22,273 12 9	Ditto ditto December ...			24,096 0 6
1871.				1871.			
Ditto ditto Jan. ...			30,785 9 0	Ditto ditto January ...			27,206 7 6
Ditto ditto Feb. ...			35,923 0 0	Ditto ditto February ...			33,797 0 0
Ditto ditto Mar. ...			25,413 8 9	Ditto ditto March ...			30,337 4 2
Total ...			3,00,860 11 9	Total ...			3,68,958 1 0

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 7.

Table showing the nature of cases heard and decided, from 1st April 1870 to 31st March 1871.

	April 1870.	May 1870.	June 1870.	July 1870.	August 1870.	September 1870.	October 1870.	November 1870.	December 1870.	January 1871.	February 1871.	March 1871.	Total
Goods sold and delivered ...	978	1,063	1,089	1,271	1,313	1,369	...	795	773	1,060	1,240	1,063	12,013
Bills of exchange and promissory notes ...	267	293	293	162	173	237	...	154	141	188	221	179	2,302
Wages ...	224	277	252	249	311	323	...	226	179	231	239	216	2,756
Work and labor ...	148	188	189	150	212	233	...	134	98	192	176	145	1,887
Money paid ...	25	38	40	48	71	69	...	40	16	39	39	42	465
Money lent ...	290	381	393	386	469	478	...	301	253	383	348	308	3,940
Money had and received... ..	89	122	113	95	76	133	...	83	68	113	111	65	1,068
Account stated ...	45	53	49	28	50	40	...	27	27	59	61	43	498
Use and occupation ...	191	200	275	295	318	270	...	213	175	218	253	216	2,698
On judgment ...	2	9	3	4	9	12	...	9	9	8	7	10	82
Quarantee ...	3	4	5	6	17	5	...	8	2	8	9	5	72
Partnership balance ...	7	2	4	8	16	16	...	9	7	8	7	1	85
Other actions on contract ...	73	134	131	196	244	204	...	176	149	190	212	190	1,971
Trover ...	53	53	46	50	64	66	...	58	27	54	55	30	567
Actions on the case... ..	45	43	69	74	63	40	...	30	28	38	50	24	500
Trespass to property ...	...	...	...	...	...	1	...	3	4	2	5	3	18
Assault ...	59	61	51	46	55	44	...	52	29	45	46	31	519
Replevin... ..	...	2	2	...	3	1	...	1	...	...	...	...	9
Interpleader claim ...	15	39	37	28	52	46	...	39	29	36	28	29	389
Recovery of small tenements ...	4	14	8	7	2	8	...	3	4	4	4	3	61
Ejectment ...	...	1	2	2	17	1	...	7	4	...	...	1	35
Against executors and administrators ...	...	...	...	...	3	...	...	...	...	...	...	...	3
Covenant ...	...	...	...	...	...	1	...	...	...	...	...	...	1
Total ...	2,513	3,081	3,000	3,145	3,523	3,687	...	2,863	2,022	2,862	3,140	2,624	31,324

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

Statement showing the statistics of the Distraint Department of the Court under Act VII of 1847, from the 1st April 1870 to 31st March 1871.

MONTHS.	Distraints compromised before appraisement.	Sales.	Distresses set aside before appraisement.	Unexecuted.	Compromised after appraisement.	Distresses set aside after appraisement.	Total number of distresses for rent.	Amount of rent for which distresses were made.	Commission and fees deposited.
1870.								Rs. As. P.	Rs. As. P.
April ...	8	4	1	.....	1	1	15	1,004 8 9	308 8 0
May ...	27	10	3	.....	3	.....	44	1,530 10 8	383 4 0
June ...	13	6	1	.....	2	..	23	1,786 14 8	265 12 0
July ...	55	5	.....	.....	5	.....	65	1,903 8 0	600 4 0
August ...	33	8	.....	1	0	.....	47	1,804 0 0	457 12 0
September ...	15	5	.....	.....	3	.....	23	1,731 3 6	398 0 0
October ...	.....	.....	.....	.....	.....	.....	.....	.....	.....
November ...	21	10	.....	1	0	.....	33	1,900 11 3	355 12 0
December ...	9	5	.....	.....	3	.....	17	1,536 4 9	173 8 0
1871.									
January ...	15	11	3	.....	0	.....	34	1,053 10 0	463 4 0
February ...	23	3	.....	.....	5	.....	31	1,771 6 3	278 4 0
March ...	23	7	.....	2	5	.....	43	1,977 15 6	395 4 0
Total ...	246	74	6	4	47	1	373	16,587 0 9	4,938 8 0

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 9.

Statement showing the amount of fines from 1st April 1870 to 31st March 1871.

1870.	Rs. As. P.
April ...	1 0 0
May ...	0 0 0
June ...	8 0 0
July ...	25 0 0
August ...	12 0 0
September ...	18 4 0
October ...	0 0 0
November ...	0 0 0
December ...	8 0 0
1871.	
January ...	0 0 0
February ...	13 4 0
March ...	25 8 0
Total ...	111 0 0

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

Statement showing the salaries of the judges, cost of the establishment, house rent, contingent and other charges, from 1st April 1870 to 31st March 1871.

MONTHS.		Salaries of the judges.	Establishment charges.	House rent.	Commission allowed to bailiffs.	Contingent charges.	Total.
		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
April	1870.	6,200 0 0	6,348 0 0	1,100 0 0	304 2 0	368 4 0	14,910 6 0
May	"	6,200 0 0	6,820 0 6	1,100 0 0	269 2 0	206 14 3	14,596 0 9
June	"	6,200 0 0	6,996 0 0	1,170 15 6	447 12 0	525 9 9	15,840 5 3
July	"	6,200 0 0	6,772 8 0	1,200 0 0	306 8 0	250 4 0	14,729 4 0
August	"	6,200 0 0	6,798 12 3	1,200 0 0	370 12 0	331 9 0	14,951 1 3
September	"	6,340 0 0	6,828 3 6	1,200 0 0	409 4 0	209 0 6	15,484 8 0
October	"	5,559 15 11	6,823 15 3	.....	.....	A....	12,382 15 2
November	"	6,200 0 0	6,827 0 0	2,400 0 0	647 14 0	231 0 3	16,306 14 3
December	"	6,200 0 0	6,859 10 6	1,200 0 0	280 10 0	73 5 3	14,533 9 2
January	1871	5,645 2 5	6,707 10 4	.....	317 12 0	349 14 0	13,020 6 9
February	"	6,000 0 0	6,671 2 6	2,400 0 0	320 10 0	111 12 3	15,503 8 9
March	"	6,000 0 0	6,768 9 0	1,200 0 0	543 12 0	329 14 2	14,742 3 3
Total		73,445 2 4	81,213 7 10	14,170 15 6	4,198 2 0	2,932 7 0	1,75,980 3 2

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 11.

Statement showing the net amount credited to Government from 1st April 1870 to 31st March 1871.

MONTHS.		Commission and fees paid in stamps, &c.	Fine.	Unclaimed suitors' money.	Savings and refunded charges.	Total amount credited.
		Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.	Rs. As. P.
April	1870	16,180 0 3	1 0 0	450 12 9	.....	16,681 13 0
May	"	19,350 5 3	.....	446 10 6	.....	19,796 15 9
June	"	17,854 2 0	8 0 0	328 14 3	.....	18,191 0 3
July	"	19,908 10 9	25 0 0	485 2 4	5 0 0	20,421 13 1
August	"	21,408 14 0	12 0 0	551 2 9	.....	21,969 0 9
September	"	20,067 12 3	18 4 0	590 2 5	.....	20,676 2 8
October	"	.....	.....	.....	.....	.....
November	"	19,540 13 6	.....	583 3 3	.....	20,123 0 9
December	"	12,868 12 3	8 0 0	563 3 9	.....	12,938 1 3
January	1871	20,599 4 0	.....	.....	.....	20,599 4 0
February	"	20,720 5 3	13 4 0	.....	.....	20,733 9 3
March	"	19,766 2 3	25 3 0	1,479 0 9	0 6 0	21,371 1 0
Total		2,07,708 3 0	111 0 0	5,477 4 9	5 6 0	2,13,301 13 9

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

(11)

No. 12.

Statement of indigent debtors relieved, from 1st April 1870 to 31st March 1871, prepared in conformity with Mr. Secretary Eden's letter No. 873T, dated 1st October 1863.

Date and month.	Names of parties relieved.	Amount paid.	Date and month.	Names of parties relieved.	Amount paid.
1870.		Rs. As. P.	1870.		Rs. As. P.
				Brought forward	128 15 0
1st April	T. B. Lawrence	12 7 0	1st September	J. DeVoss	16 0 0
5th "	Mrs. A. M. Field	8 13 0	19th "	Raujanee Burt	2 7 3
8th "	Allick Flascoob	7 4 0	21st "	Jane Urage	27 0 0
19th "	Mrs. C. H. Williams	15 0 0	22nd "	R. Hawthorne	11 8 0
23rd "	W. Ferris	9 8 0	26th "	R. Barwell	4 12 0
11th May	J. Gomes	6 0 0	7th November	J. DeVoss	32 0 0
12th "	T. H. Jahans	8 15 0	29th "	Mrs. M. Cannon	18 0 0
14th "	R. Bagwell	25 0 0	2nd December	H. Robertson	16 10 0
25th June	C. E. Canon	25 0 0	3rd "	Mrs. A. D. Morcos	15 0 0
2nd August	J. DeVoss	46 0 0	17th "	C. Y. Prázor	8 10 0
	Carried over	128 15 0		Total	278 14 3

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

No. 13.

Statement of the number of ex parte cases disposed of by the Judges of the Calcutta Court of Small Causes, from 1st April 1870 to 31st March 1871.

	First Judge.	Second Judge.	Third Judge.	Fourth Judge.	Fifth Judge.	Total.
1870.						
April	27	70	160	154	139	550
May	33	81	173	148	168	603
June	25	70	203	168	197	563
July	30	83	167	167	205	652
August	51	93	215	185	195	739
September	54	78	212	199	210	753
October						
November	45	71	129	148	101	494
December	30	63	117	130	125	465
1871.						
January	73	68	160	164	187	652
February	96	80	124	204	177	681
March	53	148	16	165	180	562
Total	520	693	1,073	1,317	1,784	6,097

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

	1st year, 1850-51.	2nd year, 1851-52.	3rd year, 1852-53.	4th year, 1853-54.	5th year, 1854-55.	6th year, 1855-56.	7th year, 1856-57.	8th year, 1857-58.	9th year, 1858-59.	10th year, 1859-60.
Number of cases instituted ...	English ...	English ...	English ...	English ...	English ...	English ...	English ...	English ...	English ...	English ...
Native ...	Native ...	Native ...	Native ...	Native ...	Native ...	Native ...	Native ...	Native ...	Native ...	Native ...
Total ...	Total ...	Total ...	Total ...	Total ...	Total ...	Total ...	Total ...	Total ...	Total ...	Total ...
Amount litigated...	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.
Commission and fees paid into court on institution of suits...	66,531 14 6	73,938 8 9	73,703 13 0	78,312 14 8	75,370 7 9	90,844 10 8	1,01,464 2 9	1,12,778 19 9	1,00,260 7 6	1,38,317 7 6
Net amount of commission and fees credited to Government on suits	57,463 13 6	74,799 4 9	77,208 4 9	75,180 7 6	73,393 9 0	90,339 9 3	1,00,901 14 0	1,12,024 6 9	1,07,918 0 0	1,28,992 15 8
Ditto on distresses for rent	1,510 7 0	1,778 8 0	1,909 8 0	1,629 0 0	1,430 13 0	1,543 4 0	1,000 0 0	1,147 0 0	830 0 0	1,482 12 0
Amount credited to Government on account of fines	661 6 6	528 4 8	464 18 3	786 15 9	240 13 3	233 14 9	403 5 3	343 5 9	202 8 0	191 12 0
Ditto on account of unclaimed monies belonging to suitors and landlords	.....	.....	.....	.....	.....	.....	785 4 9	9,720 13 8	1,868 0 3	1,407 12 10
Ditto on account of savings from salaries, sale of old furniture and records, &c.	207 6 0	712 0 8	100 9 8	.....	695 3 8	28 0 9	15 9 6	235 9 5	38 2 9	8 15 6
Net total amount credited to Government in the cash account	59,822 1 0	77,976 1 3	79,787 8 3	77,890 7 3	75,700 5 5	92,158 12 9	1,03,096 1 6	1,24,101 3 2	1,10,915 11 8	1,32,144 3 7
Amount paid into court under decrees, &c.	2,46,318 0 0	2,81,804 11 0	1,14,017 2 9	1,08,620 7 11	1,12,190 14 4	1,39,073 15 7	1,72,973 6 8	1,98,524 3 1	1,84,003 0 10	2,16,026 14 10
Ditto out of court on account of decrees, &c.	2,43,004 0 0	3,79,736 2 9	1,12,694 4 9	1,08,112 6 6	1,11,347 0 6	1,40,190 7 3	1,70,817 14 2	1,98,033 0 10	1,84,084 8 2	2,16,302 0 2
Number of days on which the court was open	258	274	277	280	255	254	240	250	246	240
Average number of cases instituted daily	82.8	101.2	96.6	91.0	103.0	100.4	116.5	122.3	121.7	129.6
Cases under Rs. 10	12,791	18,111	17,179	15,155	15,103	15,727	16,325	17,563	16,067	17,033
Ditto " 20	3,363	4,589	4,405	4,231	4,382	4,871	5,174	5,708	5,450	6,118
Ditto " 50	2,423	3,275	3,326	3,085	3,103	3,723	4,068	4,417	4,745	4,869
Ditto " 100	792	948	1,028	992	1,005	1,400	1,511	1,649	1,618	2,068
Ditto " 200	430	586	546	558	600	784	903	932	962	1,205
Ditto " 300	186	224	217	222	218	344	331	391	387	483
Ditto " 400	86	116	98	106	130	133	173	160	173	227
Ditto " 500	67	100	95	104	97	106	161	214	185	235
Ditto " 600	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ditto " 700	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ditto " 800	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Ditto " 900	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Cases under & above Rs. 1,000	.....	.....	.....	.....	.....	.....	.....	.....	.....	.....
Number of summonses issued	51,389	68,174	65,868	50,118	58,951	64,231	67,687	61,406	70,912	42,677
Ditto second summonses	.....	9,306	7,074	5,005	5,085	2,056	1,887	1,724	1,358	767
Ditto subpoenas	18,953	23,809	21,920	19,917	19,612	20,717	23,812	22,777	23,279	25,414
Ditto attachments	.....	809	1,368	853	830	474	246	418	337	378
Ditto writs of execution	2,918	4,904	6,029	5,943	4,930	6,474	7,108	8,078	7,694	8,203
Ditto bench warrants	.....	.....	157	142	79	59	30	19	14	25
Ditto copies of judgments	167	318	226	178	137	173	184	217	226	346
Ditto commitments	436	624	1,040	611	683	873	609	620	530	668
Warrants to sue and defend filed	2,170	3,205	2,075	3,106	3,340	4,122	4,700	5,745	4,574	5,088
Judgment for plaintiffs	8,359	10,546	9,519	8,908	8,906	11,068	12,311	12,321	12,447	13,067
Ditto defendants	688	938	1,747	1,744	1,406	1,260	1,023	1,154	1,412	1,517
Non-suited	4,172	5,351	6,532	2,753	2,540	3,023	3,306	3,250	3,996	2,721
Struck out and compromised	8,653	10,223	9,419	11,353	11,168	11,490	11,367	12,969	12,123	14,088
Undecided and pending	333	390	224	406	156	102	100	154	91	156
Amount of half costs returned in cases compromised	Ra. As. P. 10,559 8 6	Ra. As. P. 6,982 11 9	Ra. As. P. 6,341 9 9	Ra. As. P. 12,064 15 9	Ra. As. P. 11,091 8 8	Ra. As. P. 11,844 9 6	Ra. As. P. 12,908 6 6	Ra. As. P. 14,779 12 0	Ra. As. P. 14,728 0 0	Ra. As. P. 17,399 5 8

14.

Table.

11th year, 1866-67.	12th year, 1867-68.	13th year, 1868-69.	14th year, 1869-70.	15th year, 1870-71.	16th year, 1871-72.	17th year, 1872-73.	18th year, 1873-74.	19th year, 1874-75.	20th year, 1875-76.	21st year, 1876-77.
6,524	6,850	6,999	6,403	6,820	7,225	6,944	6,503	5,912	6,005	6,467
25,253	26,574	27,290	25,472	26,125	30,098	27,707	23,081	25,767	27,645	25,902
31,777	33,224	33,841	34,880	35,948	37,323	35,861	36,314	31,479	34,340	31,339
Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.
9,78,939 4 10	11,19,418 6 0	10,54,228 11 7	12,10,923 6 11	17,68,551 4 7	20,20,304 4 3	17,52,278 12 0	15,45,704 4 10	15,95,000 4 0	16,40,222 15 5	16,07,311 8 7
1,30,247 12 6	1,56,436 0 3	1,40,970 0 6	1,64,508 15 9	2,17,400 6 0	2,53,371 3 2	2,00,934 1 4	2,11,540 2 6	2,21,002 2 5	2,44,000 14 0	2,30,202 4 9
1,36,073 3 9	1,57,258 5 3	1,40,725 12 6	1,63,728 2 0	2,12,255 13 9	2,29,323 5 0	1,98,700 7 0	2,16,540 6 6	2,21,311 4 3	2,32,640 7 2	2,07,703 3 0
1,529 8 0	1,187 4 0	1,533 8 0	1,374 12 0	1,369 8 0	2,312 12 0	2,746 4 0	1,620 8 0	1,283 4 0		
125 0 0	330 0 0	263 1 0	102 7 0	345 12 6	114 8 0	2-3 2 3	141 8 0	202 0 0	100 10 0	111 0 0
1,431 14 3	2,314 2 10	3,050 4 9	3,106 1 6	3,617 1 2	1,720 2 5	3,330 5 3	4,256 16 11	4,356 4 0	5,797 6 9	5,677 4 0
6 1 8	10 4 1	0 12 3	102 5 3	57 10 0	200 11 0	109 5 0	17 14 0	19 12 0	15 4 0	5 6 0
1,30,105 11 8	1,61,100 5 2	1,54,509 7 3	1,68,403 11 9	2,17,475 13 5	2,30,879 7 2	2,05,223 8 0	2,16,505 13 5	2,27,216 8 8	2,22,021 2 0	2,12,301 13 9
2,20,051 5 4	2,48,702 7 1	2,37,201 6 11	2,57,245 7 6	3,48,394 2 5	3,14,084 7 0	2,83,478 12 5	3,04,351 13 9	3,00,719 9 4	3,20,204 11 4	2,94,500 11 5
2,18,821 13 11	2,44,001 3 3	2,39,880 8 5	2,54,034 7 5	3,43,204 14 0	3,17,421 12 10	2,68,236 12 2	3,02,320 8 0	3,11,799 3 4	3,20,205 8 0	2,98,596 1 4
253	259	265	267	201	365	240	254	253	254	248
125-6	128-2	126-7	130-6	137-7	141-9	141-46	118-25	124-22	125-19	120-3
16,505	16,048	18,839	19,853	20,501	20,768	19,607	16,298	13,900	14,436	13,235
5,791	6,310	5,086	6,709	5,724	6,281	5,610	5,257	6,656	7,044	6,761
5,019	5,258	4,136	3,394	3,378	4,040	3,154	3,540	6,694	6,619	6,339
2,100	2,180	2,372	2,630	2,883	2,480	2,274	2,014	2,568	2,762	2,609
1,114	1,216	1,373	1,206	1,471	1,503	1,118	1,093	1,737	1,617	1,560
510	646	890	705	807	603	639	576	655	607	602
206	370	306	403	414	447	441	357	355	354	302
253	237	224	268	250	308	223	298	269	250	238
.....	.....	.....	6	161	140	153	167	108	100	105
.....	.....	.....	2	121	158	124	163	161	127	124
.....	.....	.....	3	90	139	105	137	109	110	95
.....	.....	.....	3	70	122	93	120	90	95	89
.....	.....	.....	3	104	145	143	145	123	125	137
42,351	40,942	42,943	44,780	46,307	48,218	43,603	39,830	40,851	42,528	40,808
534	910	1,219	1,425	1,307	1,515	925	1,003	1,340	1,350	1,517
24,733	29,116	30,070	31,557	30,883	35,308	23,721	20,468	20,254	20,329	21,455
455	239	183	153	74	24	25	14	12	16	13
5,088	5,430	6,264	6,128	6,403	6,006	7,925	7,406	7,301	6,554	6,302
18	13	18	17	25	28	7	8	3	4	7
421	418	353	379	368	456	433	377	423	511	570
509	510	510	520	573	560	505	361	322	347	345
5,025	5,211	5,330	5,366	6,108	5,320	4,245	3,781	4,530	5,077	6,343
13,048	14,150	14,123	14,698	15,226	16,198	14,908	13,006	13,576	15,297	16,196
1,720	1,826	1,866	2,183	2,023	1,813	1,465	1,543	1,826	1,444	1,324
2,448	2,903	2,946	2,963	2,918	3,320	3,740	3,606	3,708	3,823	3,175
12,547	14,104	14,296	15,120	15,612	15,992	13,454	12,570	13,544	13,829	15,190
179	137	107	100	153	171	1,600	1,689	1,676	1,184	1,509
Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.	Ra. As. P.
18,913 2 0	22,309 14 6	22,079 3 9	24,071 3 0	26,104 10 1	28,500 8 2	27,419 7 8	22,400 10 5	21,022 12 0	22,522 4 2	21,322 6 4

G. O. SCORCE

Off. Sec. Judge and Clerk of the Court.

Statement showing the number of Mofussil commissions issued to the Calcutta Court of Small Causes under Section 177 of Act VIII of 1859, for the year 1870-71.

YEAR AND MONTH.	Number of commissions received.	Number of commissions executed.	Number of witnesses examined.	By what Judge disposed of.
1870.				
April	15	4	14	5th Judge.
May	25	13	20	" ditto.
June	20	8	16	" ditto.
July	25	8	20	" ditto.
August	24	10	25	" ditto.
September	11	3	10	" ditto.
October				" ditto.
November	20	8	9	" ditto.
December	9	5	13	" ditto.
1871.				
January	18	10	21	" ditto.
February	11	9	17	" ditto.
March	16	9	13	" ditto.
Total	188	84	198	

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

Statement showing the number of after-judgment processes issued during the year, from 1st April 1870 to 31st March 1871.

	Seal warrants.	Body warrants.	Total.
Number of process applied for	3,080	5,345	8,425
Number in which money was deposited after process applied for, but before execution	80	33	113
Number executed (By 3 European bailiffs—seal warrants, 851; body warrants, 1,130. By 5 Native seal bailiffs—seal warrants, 1,780. By 48 body warrant bailiffs, 1,884 body warrants.)	2,541	3,064	5,605
Number withdrawn and returned with the remark "Mulla Banna," and persons not found	1,408	206	1,614
Number of writs applied for but not carried into execution by the parties	600		600
Number pending on 31st March, 1871	45	100	145
			8,405
Copyes of judgments and certificates for execution out of the jurisdiction			570
Total			8,975

CALCUTTA COURT OF SMALL CAUSES,
The 29th June 1871.

G. C. SCONCE,
Offg. 5th Judge, and Clerk of the Court.

(RESOLUTION.)

JUDICIAL DEPARTMENT.

JUDICIAL.

Fort William, the 28th September 1871.

READ—

A letter, No. 7, dated the 29th June, from the Judges of the Calcutta Court of Small Causes, submitting the annual report of the business of the Court for the year 1870-71.

1. The result of the operations, as compared with those of the previous year, is shown in the following analysis :—

PARTICULARS	1870-71	1869-70	Increase	Decrease
Number of cases instituted	32,349	34,340		2,001
Amount in litigation	Rs. 18,07,311	Rs. 18,49,525	..	Rs. 42,214
Total receipts on account of fees, &c.	" 2,13,301	" 2,32,021	..	" 18,720
Cost of establishment, &c.	" 1,75,900	" 1,80,108	Rs. 6,852	
Surplus	" 37,441	" 62,013	..	" 25,572
Cases decided for plaintiff after trial	7,409	8,632	..	1,133
Ditto <i>ex parte</i>	6,997	7,205	..	608
Dismissed	1,354	1,144	..	210
Non-suited	3,179	3,885	..	706
Compromised	10,112	10,595	..	483
Struck off on default	3,081	2,935	146	..
Pending at close of year	1,660	1,164	496	..
Cases above Rs. 1,000	44	40	4	..
Ratio of English to Native cases	1 to 101	1 to 119		
Referred to arbitration	717	700	17	..
Cases in which attorneys appeared for parties	401	300	101	..
Ditto pleaders	5,912	5,177	735	..
Ditto parties appeared in person	25,541	24,570	971	..
Number of writs of execution issued	8,302	8,654	..	352
Commitments	363	367	..	4
Sales	71	43	28	..
Distresses for rent	378	184	194	..
Fines	111	169	..	58

2. There is a decrease of 2,000 in the number of cases and Rs. 42,214 in the amount in litigation, and the receipts have diminished by Rs. 18,720 below the results of the preceding year. It is explained that a great part of this comparatively large decrease in the fees is due to the sum of Rs. 7,533, received under the former system of cash payments and retained in deposit during 1868-69, being transferred to credit in April 1869, leaving a deficiency of Rs. 11,187 only in the actual receipts of the year.

3. The Judges are unable to explain the cause of the decrease in suits of lower amount, but as these appear to have gone back very nearly to the level of the year 1868-69, the falling off may probably be attributed to a cessation of the causes which operated to produce an increase in 1869-70; and if this result be in any way connected with a diminished disposition to litigiousness, it cannot be a matter of regret, but it may be feared that it is due rather to the general stagnation of trade and business during the year under review.

4. The aggregate expenditure during the year was Rs. 1,75,960-3-2, leaving a saving of Rs. 37,341, which is considerably below the surplus shown in either of the two preceding years. It is observed that the Court was open on 248 days. The Lieutenant-Governor would wish to have a statement showing the holidays and days on which the Court was not open.

5. The Lieutenant-Governor begs to thank the Judges for their exertions in disposing of the mass of business before them, and notwithstanding that there seems to have been some difficulty in one or two of the Courts in the present year, he hopes that at the end of the year an equally clear file will be shown.

By order of the Lieutenant-Governor of Bengal.

H. L. HARRISON,

Offg. Junior Secy. to the Govt. of Bengal.

Nos. 4604-4605:

ORDERED that a copy of this Resolution be forwarded to the Judges of the Calcutta Court of Small Causes for information, and also a copy, with extract, paragraph 9 of the Judges' report, to the Public Works Department.

By order of the Lieutenant-Governor of Bengal.

H. L. HARRISON,

Offg. Junior Secy. to the Govt. of Bengal.

FORT WILLIAM:

The 28th September 1871.

